

THURSDAY, APRIL 8, 2021

**TWENTY-FIRST LEGISLATIVE DAY**

The House met at 9:00 a.m. and was called to order by Mr. Speaker Sexton.

The proceedings were opened with prayer by Rep. Haston.

Representative Haston led the House in the Pledge of Allegiance to the Flag.

**ROLL CALL**

The roll call was taken with the following results:

Present..... 89

Representatives present were Alexander, Baum, Beck, Boyd, Bricken, Calfee, Campbell S, Camper, Carr, Carringer, Casada, Cepicky, Chism, Clemmons, Cochran, Cooper, Crawford, Curcio, Darby, Dixie, Doggett, Eldridge, Faison, Freeman, Gant, Garrett, Gillespie, Griffey, Grills, Hakeem, Halford, Hall, Harris, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Lynn, Mannis, Marsh, McKenzie, Miller, Moody, Moon, Parkinson, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Terry, Thompson, Todd, Towns, Travis, Vaughan, Warner, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton -- 89

**EXCUSED**

The Speaker announced that the following members have been excused, pursuant to requests under **Rule No. 20**:

Representative Byrd; illness

Representative Carter; illness

Representative Ogles; illness

Representative Farmer; personal

**PRESENT IN CHAMBER**

Reps. Lamar, Mitchell and Love were recorded as being present in the Chamber.

**SPONSORS ADDED**

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Joint Resolution No. 8** Reps. Lynn and Sparks as prime sponsors.

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**House Joint Resolution No. 350** Reps. Smith, Lafferty, J. Sexton, Hall, Grills, Eldridge, Wright, Cepicky, White, Doggett, T. Hicks, Leatherwood and Helton as prime sponsors.

**House Bill No. 48** Rep. Baum as prime sponsor.

**House Bill No. 173** Rep. Hall as prime sponsor.

**House Bill No. 180** Rep. Ramsey as prime sponsor.

**House Bill No. 237** Rep. Parkinson as prime sponsor.

**House Bill No. 240** Rep. Moon as prime sponsor.

**House Bill No. 241** Rep. Gillespie as prime sponsor.

**House Bill No. 360** Rep. Whitson as prime sponsor.

**House Bill No. 382** Reps. Lamberth and Griffey as prime sponsors.

**House Bill No. 514** Rep. Calfee as prime sponsor.

**House Bill No. 568** Reps. Smith, Helton and Howell as prime sponsors.

**House Bill No. 570** Reps. Moon, Wright, Griffey, Terry, Smith, Howell and Moody as prime sponsors.

**House Bill No. 575** Rep. Weaver as prime sponsor.

**House Bill No. 582** Rep. Ramsey as prime sponsor.

**House Bill No. 619** Rep. Hall as prime sponsor.

**House Bill No. 620** Reps. Smith, Powers, Hazlewood, Curcio, Terry and Cepicky as prime sponsors.

**House Bill No. 719** Reps. Powers, Doggett, Smith, Littleton and Moody as prime sponsors.

**House Bill No. 725** Rep. Powell as prime sponsor.

**House Bill No. 732** Rep. Haston as prime sponsor.

**House Bill No. 766** Reps. Smith, Helton and Howell as prime sponsors.

**House Bill No. 768** Rep. Haston as prime sponsor.

**House Bill No. 809** Reps. Camper, Hurt, Grills, Thompson, Ramsey, Parkinson, Lafferty and Faison as prime sponsors.

**House Bill No. 842** Reps. Parkinson, Griffey, Clemmons, Moody, Lamar, Camper, Chism and Love as prime sponsors.

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**House Bill No. 874** Reps. Smith, Helton and Hazlewood as prime sponsors.

**House Bill No. 880** Rep. Ramsey as prime sponsor.

**House Bill No. 961** Reps. Moon, Sherrell, White, Sparks, Russell, Smith, Moody, Jernigan, Hazlewood, Helton, Cepicky and Hurt as prime sponsors.

**House Bill No. 979** Rep. Thompson as prime sponsor.

**House Bill No. 1064** Reps. Faison, White, Thompson, Parkinson, T. Hicks, Hazlewood, Helton, Chism, Mannis and Camper as prime sponsors.

**House Bill No. 1155** Rep. Powell as prime sponsor.

**House Bill No. 1181** Reps. Weaver and Cepicky as prime sponsors.

**House Bill No. 1196** Reps. Wright, Rudd, Hawk, Powers, Leatherwood, Moody, Hazlewood and T. Hicks as prime sponsors.

**House Bill No. 1323** Rep. Griffey as prime sponsor.

**House Bill No. 1344** Rep. Lynn as prime sponsor.

**House Bill No. 1379** Rep. Baum as prime sponsor.

**House Bill No. 1398** Rep. Mitchell as prime sponsor.

**House Bill No. 1438** Rep. White as prime sponsor.

**House Bill No. 1453** Rep. Thompson as First prime sponsor.

**House Bill No. 1509** Reps. Ramsey, Whitson and Marsh as prime sponsors.

**House Bill No. 1574** Rep. White as prime sponsor.

**SPONSORS WITHDRAWN**

On Motion, Rep. Lafferty withdrew as sponsor of **House Bill No. 1591**.

**MESSAGE FROM THE SENATE**  
**April 6, 2021**

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 38, 84, 86, 87, 88, 92, 298, 364, 651, 765, 831, 1097, 1098, 1168, 1343 and 1517; substituted for Senate Bills on same subject and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**THURSDAY, APRIL 8, 2021 – TWENTY-FIRST LEGISLATIVE DAY**

**MESSAGE FROM THE SENATE  
April 6, 2021**

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos. 147, 202, 338, 339, 342, 343, 344, 345, 346, 347, 349, 352, 353, 354, 355, 356, 357, 359, 360, 361, 362, 363, 364 and 365; concurred in by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**SIGNED  
April 6, 2021**

The Speaker announced that he had signed the following: Senate Joint Resolutions Nos. 159 and 385.

TAMMY LETZLER, Chief Clerk

**MESSAGE FROM THE SENATE  
April 6, 2021**

MR. SPEAKER: I am directed to return to the House, House Bill No. 267; substituted for Senate Bill on same subject, amended, and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE  
April 6, 2021**

MR. SPEAKER: I am directed to return to the House, House Bill No. 1611; substituted for Senate Bill on same subject, amended, and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE  
April 6, 2021**

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 146, 173, 279, 399, 886, 1132, 1151, 1179, 1201, 1229, 1262, 1270, 1285, 1307, 1339, 1612 and 1615; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**\*Senate Bill No. 146** -- Taxes, Sales - As introduced, specifies that "private nonprofit college or university" as it relates to a certain sales and use tax exemption includes a nonprofit academic medical center and teaching hospital that operates as a separate nonprofit corporation, but which, when founded, was operated as a division of a private nonprofit college or university and that continues to provide education and training of physicians, nurses, and other allied healthcare professionals. - Amends TCA Section 67-6-209. by \*Watson, \*Gillmore. (HB599 by \*Hazlewood)

## THURSDAY, APRIL 8, 2021 – TWENTY-FIRST LEGISLATIVE DAY

**\*Senate Bill No. 173** -- Personal Property - As introduced, clarifies that the Tennessee Self-Service Storage Facility Act applies to transportable storage structures or containers. - Amends TCA Title 47 and Title 66. by \*Lundberg. (HB329 by \*Crawford)

**Senate Bill No. 279** -- Banks and Financial Institutions - As introduced, requires the Tennessee advisory commission on intergovernmental relations (TACIR) to study the feasibility of creating a state gold depository and to report its findings to the speakers of the senate and house of representatives no later than January 1, 2022. - Amends TCA Title 4; Title 8; Title 9; Title 12; Title 45; Title 47; Title 48; Title 56 and Title 67. by \*Rose. (\*HB353 by \*Hulsey)

**Senate Bill No. 399** -- Law Enforcement - As introduced, requires law enforcement officers to undergo training on the proper testing procedures for use in investigating cases of suspected driving under the influence as part of the annual in-service training required for certifications that occur on or after January 1, 2022. - Amends TCA Title 38, Chapter 8 and Title 55, Chapter 10, Part 4. by \*Massey. (\*HB328 by \*Howell)

**\*Senate Bill No. 886** -- Judges and Chancellors - As introduced, allows a general sessions or juvenile court judge serving by interchange to receive reimbursement for travel expenses from the county to which the judge travels to serve; limits certain travel expenses to no more than \$100 per day. - Amends TCA Section 16-15-209. by \*Stevens. (HB1122 by \*Farmer, \*Griffey)

**\*Senate Bill No. 1132** -- Tennessee Bureau of Investigation - As introduced, requires the human trafficking advisory council to inform the judiciary committee of the senate and the criminal justice committee of the house of representatives of the council's legislation recommendations. - Amends TCA Title 4, Chapter 3, Part 30; Title 37; Title 39; Title 40; Title 49 and Section 71-1-135. by \*White, \*Massey, \*Reeves. (HB1334 by \*Baum)

**Senate Bill No. 1151** -- Treasurer, State - As introduced, authorizes the board of claims to approve, and the state treasurer to establish and maintain, a captive insurance company for the state. - Amends TCA Title 9, Chapter 8, Part 1 and Title 56. by \*Johnson. (\*HB1010 by \*Hicks G, \*Freeman)

**Senate Bill No. 1179** -- Public Health - As introduced, removes the prohibition on operating a needle and hypodermic syringe exchange program within 1,000 feet of a public park in certain counties and municipalities. - Amends TCA Title 68. by \*Yarbro. (\*HB1088 by \*Hakeem)

**\*Senate Bill No. 1201** -- Growth and Development - As introduced, deletes requirements for cities and counties to develop comprehensive growth plans. - Amends TCA Title 4, Chapter 10; Title 6; Title 7; Title 13 and Title 65, Chapter 4. by \*Southerland. (HB1412 by \*Lafferty, \*Hawk)

**Senate Bill No. 1229** -- Education, Curriculum - As introduced, requires an LEA or public charter school to notify a student's parent or guardian prior to commencing instruction of a sexual orientation or gender identity curriculum; permits a parent or guardian to excuse the parent's or guardian's student from a sexual orientation or gender identity curriculum, and prohibits the LEA or charter school from penalizing an excused student. - Amends TCA Title 49, Chapter 6, Part 13. by \*Rose, \*Jackson, \*Pody. (\*HB529 by \*Moody, \*Griffey)

## THURSDAY, APRIL 8, 2021 – TWENTY-FIRST LEGISLATIVE DAY

**Senate Bill No. 1262** -- Taxes, Privilege - As introduced, authorizes a local governing body to pass a resolution or ordinance requiring 50 percent of the residential development tax levied under the County Powers Relief Act to be paid at the time of application for a building permit and the remaining 50 percent of the tax to be paid prior to the issuance of a certificate of occupancy. - Amends TCA Title 67, Chapter 4, Part 29. by \*Reeves. (\*HB1172 by \*Baum, \*Terry)

**\*Senate Bill No. 1270** -- Motor Vehicles, Titling and Registration - As introduced, increases, from \$4.00 to \$5.00, the amount of the fee that may be imposed by each county clerk for the service of handling mail orders of registration plates and decals. - Amends TCA Section 55-4-105. by \*Reeves. (HB1360 by \*Mannis)

**\*Senate Bill No. 1285** -- Children - As introduced, specifies that the trial judge may consider whether the victim of the offense of unlawful photographing in violation of privacy is a minor to determine if the offender is required to register as a sexual offender. - Amends TCA Title 10, Chapter 7; Title 37; Title 38; Title 39; Title 40 and Title 55. by \*White. (HB1312 by \*Terry)

**\*Senate Bill No. 1307** -- Landlord and Tenant - As introduced, enacts the "Right to Call for Help Act" to prohibit certain penalties based on a property owner or lessee calling for emergency assistance. - Amends TCA Title 66. by \*Yarbro, \*Gillmore. (HB1361 by \*Mannis)

**Senate Bill No. 1339** -- Professions and Occupations - As introduced, adds licensed aestheticians working under the supervision of a licensed physician to the list of persons exempt from the Tennessee Cosmetology Act of 1986. - Amends TCA Section 62-4-109. by \*Hensley, \*Crowe, \*Robinson. (\*HB915 by \*Hawk)

**Senate Bill No. 1612** -- Motor Vehicles - As introduced, requires persons engaged in the business of buying or selling used automobile parts to keep permanent records of such transactions involving unattached catalytic converters; requires persons engaged in the business of buying or selling unattached catalytic converters as a single item and not as part of a scrapped motor vehicle to register with the chief of police and sheriff of each city and county in which the activity is carried on. - Amends TCA Title 38; Title 55 and Title 62. by \*Bailey, \*Jackson, \*Powers. (\*HB1155 by \*Gillespie, \*Towns, \*Powell)

**\*Senate Bill No. 1615** -- Motor Vehicles - As introduced, increases from 10 days to 10 business days, the time by which licensed motor vehicle dealers must give the motor vehicle commission written notice of changes in the labor rate charged to retail customers and the labor rate charged to the manufacturers or distributors for warranty repairs or servicing. - Amends TCA Section 55-17-121. by \*Bailey, \*Massey, \*McNally, \*Yager. (HB1352 by \*Vaughan, \*Lamberth)

### ENGROSSED BILLS

April 6, 2021

MR. SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Bills Nos. 188, 212, 235, 323, 464, 560, 767, 776, 781, 820, 841, 938, 976, 1120, 1166, 1514, 1558 and 1615; House Joint Resolutions Nos. 103, 132, 351, 358, 369, 370, 371, 372, 373, 374, 375, 376, 377 and 378;

GREG GLASS, Chief Engrossing Clerk

**THURSDAY, APRIL 8, 2021 – TWENTY-FIRST LEGISLATIVE DAY**

**REPORT OF CHIEF ENGROSSING CLERK  
April 6, 2021**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Joint Resolutions Nos. 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294 and 295; for his action.

GREG GLASS, Chief Engrossing Clerk

**ENROLLED BILLS  
April 6, 2021**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 38, 84, 86, 87, 88, 92, 298, 364, 651, 765, 831, 1097, 1098, 1168, 1343 and 1517; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Chief Engrossing Clerk

**SIGNED  
April 7, 2021**

The Speaker announced that he had signed the following: House Bills Nos. 508, 716, 992, 1096, 1285, 1380, 1474, 1499 and 1602.

GREG GLASS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE  
April 7, 2021**

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 188, 206, 890 and 1091; substituted for Senate Bills on same subject and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE  
April 7, 2021**

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 163, 177, 224, 410, 447, 488, 615 and 699; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**Senate Bill No. 163** -- Privacy, Confidentiality - As introduced, adds communications with a peer supporter occurring during a critical incident stress management intervention to those communications that are considered confidential and for which a person cannot be called to testify or otherwise divulge. - Amends TCA Title 10 and Title 24, Chapter 1. by \*Pody, \*White. (\*HB167 by \*Moody)

## THURSDAY, APRIL 8, 2021 – TWENTY-FIRST LEGISLATIVE DAY

**Senate Bill No. 177** -- Beer - As introduced, authorizes beer manufacturers to self-distribute beer within a 100-mile radius of the manufacturer if the manufacturer brews 50,000 gallons or less. - Amends TCA Title 57, Chapter 5. by \*Lundberg. (\*HB189 by \*Faison)

**Senate Bill No. 224** -- Economic and Community Development - As introduced, encourages each county's joint economic and community development board to include representation from school systems located within the county; revises other powers and actions taken by the board. - Amends TCA Section 6-58-114. by \*Hensley. (\*HB155 by \*Haston)

**\*Senate Bill No. 410** -- Medical Occupations - As introduced, specifically authorizes a licensed medical professional who draws blood at a nonprofit blood bank or blood center, a dentist, or a nurse to administer a vaccination against COVID-19 as long as the professional, dentist, or nurse has received appropriate training on how to administer the vaccination. - Amends TCA Title 63. by \*Gilmore, \*Campbell. (HB565 by \*Dixie, \*Camper, \*Hardaway, \*Hakeem, \*Shaw, \*McKenzie, \*Parkinson, \*Love, \*Chism, \*Towns, \*Miller, \*Lamar, \*Harris, \*Cooper, \*Ramsey)

**\*Senate Bill No. 447** -- Children's Services, Dept. of - As introduced, requires a secure detention or correctional facility housing juveniles to immediately report any security breach to the department and local law enforcement; requires the department to include information on escapes, attempted escapes, security breaches, or attempted security breaches in the previous calendar year in the department's annual report. - Amends TCA Title 37 and Title 39. by \*Bell. (HB1231 by \*Littleton, \*Sherrell)

**\*Senate Bill No. 488** -- Disabled Persons - As introduced, prohibits certain healthcare providers and entities from discriminating against qualified persons for receipt of transplantations or anatomical gifts based solely on disability; prohibits insurers that offer plans covering transplantations from denying coverage solely on disability. - Amends TCA Title 8; Title 33; Title 56; Title 63; Title 68 and Title 71. by \*Bell. (HB1464 by \*Cochran, \*Whitson)

**Senate Bill No. 615** -- Health Care - As introduced, requires healthcare providers to ensure that certain patients in their care are provided with access to a qualified mental health professional or contact information for a qualified mental health professional or mental health counseling resource. - Amends TCA Title 4; Title 33; Title 63 and Title 68. by \*Bell. (\*HB180 by \*Hall, \*Ramsey)

**Senate Bill No. 699** -- Public Records - As introduced, requires that captured plate data from automatic license plate reader systems be treated as confidential and not be open for inspection by members of the public. - Amends TCA Title 10, Chapter 7, Part 5. by \*Lundberg, \*Pody. (\*HB809 by \*Powell, \*Lamberth, \*Cooper, \*Camper, \*Hurt, \*Grills, \*Thompson, \*Ramsey, \*Parkinson, \*Lafferty, \*Faison)

### ENROLLED BILLS April 7, 2021

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Joint Resolutions Nos. 147, 202, 338, 339, 342, 343, 344, 345, 346, 347, 349, 352, 353, 354, 355, 356, 357, 359, 360, 361, 362, 363, 364 and 365; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Chief Engrossing Clerk



**SIGNED  
April 7, 2021**

The Speaker announced that he had signed the following: House Joint Resolutions Nos. 147, 202, 338, 339, 342, 343, 344, 345, 346, 347, 349, 352, 353, 354, 355, 356, 357, 359, 360, 361, 362, 363, 364 and 365.

GREG GLASS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE  
April 7, 2021**

MR. SPEAKER: I am directed to return to the House, House Bill No. 72; substituted for Senate Bill on same subject, amended, and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE  
April 7, 2021**

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos. 147, 202, 338, 339, 342, 343, 344, 345, 346, 347, 349, 352, 353, 354, 355, 356, 357, 359, 360, 361, 362, 363, 364 and 365; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE GOVERNOR  
April 7, 2021**

MR. SPEAKER: I am directed by the Governor to return herewith: House Joint Resolutions Nos. 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294 and 295; with his approval.

LANG WISEMAN, Deputy and Counsel to the Governor

**REPORT OF CHIEF ENGROSSING CLERK  
April 7, 2021**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Joint Resolutions Nos. 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337 and 341; for his action.

GREG GLASS, Chief Engrossing Clerk

**THURSDAY, APRIL 8, 2021 – TWENTY-FIRST LEGISLATIVE DAY**

**MESSAGE FROM THE GOVERNOR  
April 7, 2021**

MR. SPEAKER: I am directed by the Governor to return herewith: House Bills Nos. 50, 100, 106, 131, 154, 207, 386, 394, 395, 421, 473, 500, 605, 665, 826 and 1571; with his approval.

LANG WISEMAN, Deputy and Counsel to the Governor

**ENROLLED BILLS  
April 7, 2021**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 188, 206, 890 and 1091; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE  
April 8, 2021**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos. 218, 383, 384, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416 and 418; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

**\*Senate Joint Resolution No. 218** -- General Assembly, Confirmation of Appointment - Laurie Cardoza-Moore, State Textbook and Instructional Materials Quality Commission. by \*Bowling, \*Pody.

**\*Senate Joint Resolution No. 383** -- Memorials, Death - Betty "Jo" Matherne. by \*Walley, \*Massey.

**\*Senate Joint Resolution No. 384** -- Memorials, Sports - Kane (Mayor Glenn Jacobs), induction into WWE Hall of Fame. by \*Massey, \*Briggs, \*McNally, \*Watson, \*Bell, \*Akbari, \*Bailey, \*Bowling, \*Campbell, \*Crowe, \*Gardenhire, \*Gilmore, \*Haile, \*Hensley, \*Jackson, \*Kelsey, \*Kyle, \*Lundberg, \*Niceley, \*Pody, \*Powers, \*Reeves, \*Roberts, \*Robinson, \*Rose, \*Southerland, \*Stevens, \*Swann, \*Walley, \*White, \*Yager, \*Yarbro.

**\*Senate Joint Resolution No. 386** -- Memorials, Retirement - Officer William Charles Kennedy. by \*Pody, \*Reeves.

**\*Senate Joint Resolution No. 387** -- Memorials, Academic Achievement - Molly Reasons, Valedictorian, Lewis County High School. by \*Hensley.

**\*Senate Joint Resolution No. 388** -- Memorials, Academic Achievement - Kane Dillon, Salutatorian, Lewis County High School. by \*Hensley.

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**\*Senate Joint Resolution No. 389** -- Memorials, Academic Achievement - Maddox Cagle, Third Top Graduate, Lewis County High School. by \*Hensley.

**\*Senate Joint Resolution No. 390** -- Memorials, Academic Achievement - Kasandra Marie Castro, Fourth Top Graduate, Lewis County High School. by \*Hensley.

**\*Senate Joint Resolution No. 391** -- Memorials, Academic Achievement - Aaron Hunter, Fifth Top Graduate, Lewis County High School. by \*Hensley.

**\*Senate Joint Resolution No. 392** -- Memorials, Academic Achievement - Bradley Nickell, Sixth Top Graduate, Lewis County High School. by \*Hensley.

**\*Senate Joint Resolution No. 393** -- Memorials, Academic Achievement - Karli Bennett, Seventh Top Graduate, Lewis County High School. by \*Hensley.

**\*Senate Joint Resolution No. 394** -- Memorials, Academic Achievement - Emma Hinson, Eighth Top Graduate, Lewis County High School. by \*Hensley.

**\*Senate Joint Resolution No. 395** -- Memorials, Academic Achievement - Jayden Hinson, Ninth Top Graduate, Lewis County High School. by \*Hensley.

**\*Senate Joint Resolution No. 396** -- Memorials, Academic Achievement - Morgan Bailey, Tenth Top Graduate, Lewis County High School. by \*Hensley.

**\*Senate Joint Resolution No. 397** -- Memorials, Interns - William "Walker" Beasley. by \*Bell.

**\*Senate Joint Resolution No. 398** -- Memorials, Interns - Catrin Latham. by \*Massey.

**\*Senate Joint Resolution No. 399** -- Memorials, Recognition - Agent Michael Thomas of West Tennessee Drug Task Force. by \*Rose.

**\*Senate Joint Resolution No. 400** -- Memorials, Recognition - Ruth Ann Wallace. by \*Rose.

**\*Senate Joint Resolution No. 401** -- Memorials, Public Service - West Tennessee Drug Task Force's interdiction team, 2020 Team of the Year. by \*Rose.

**\*Senate Joint Resolution No. 402** -- Memorials, Sports - Greeneville High School Greene Devils basketball team, TSSAA Division I Class AA State Champions. by \*Southerland.

**\*Senate Joint Resolution No. 403** -- Memorials, Heroism - Fire Captain Brad Petty, Chattanooga Fire Department. by \*Gardenhire, \*Watson.

**\*Senate Joint Resolution No. 404** -- Memorials, Recognition - Second Presbyterian Church in Chattanooga, 150th anniversary. by \*Gardenhire, \*Watson.

**\*Senate Joint Resolution No. 405** -- Memorials, Sports - Mitchell Gibbons. by \*McNally, \*Yager.

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**\*Senate Joint Resolution No. 406** -- Memorials, Recognition - Parrottsville Ruritan Club, 70th anniversary. by \*Southerland.

**\*Senate Joint Resolution No. 407** -- Memorials, Personal Achievement - Joseph and Joshua Rodriguez, Eagle Scouts. by \*Haile.

**\*Senate Joint Resolution No. 408** -- Memorials, Recognition - Froggy's Fog, LLC. by \*Hensley.

**\*Senate Joint Resolution No. 409** -- Memorials, Academic Achievement - Braden Cowan, Salutatorian, Springfield High School. by \*Roberts.

**\*Senate Joint Resolution No. 410** -- Memorials, Academic Achievement - Emily Richter, Valedictorian, Springfield High School. by \*Roberts.

**\*Senate Joint Resolution No. 411** -- Memorials, Academic Achievement - Zoey Johnson, Valedictorian, Springfield High School. by \*Roberts.

**\*Senate Joint Resolution No. 412** -- Memorials, Interns - Essence Owens. by \*Crowe.

**\*Senate Joint Resolution No. 413** -- Memorials, Death - Richard A. "Rick" Buerger. by \*Johnson.

**\*Senate Joint Resolution No. 414** -- Memorials, Professional Achievement - Amanda Kite, West Elementary School, Teacher of the Year. by \*Southerland.

**\*Senate Joint Resolution No. 415** -- Memorials, Professional Achievement - Julie Lambert, Russellville Elementary School, Teacher of the Year. by \*Southerland.

**\*Senate Joint Resolution No. 416** -- Memorials, Professional Achievement - Amanda Hill, Manley Elementary School, Teacher of the Year. by \*Southerland.

**\*Senate Joint Resolution No. 418** -- Memorials, Death - Senator Curtis Person, Jr. by \*Kelsey, \*McNally, \*Yager.

**MESSAGE FROM THE SENATE  
April 8, 2021**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No. 497; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

**\*Senate Joint Resolution No. 497** -- General Assembly, Joint Conventions - Calls joint convention on April 12, 2021, to confirm appointment of Jill Bartee Ayers to Tennessee Court of Criminal Appeals, Middle Section, and to honor former U.S. Senator and former Tennessee Governor Lamar Alexander. by \*Yager.

**RESOLUTIONS**

Pursuant to **Rule No. 17**, the following resolutions were introduced and placed on the Consent Calendar for April 12, 2021:

**House Resolution No. 35** -- Memorials, Retirement - Ray Goad. by \*Keisling.

**House Resolution No. 36** -- Memorials, Sports - Houston High School Mustangs basketball team, TSSAA Division I Class AAA State Champions. by \*Vaughan.

**House Resolution No. 37** -- Memorials, Personal Occasion - Lelabelle Baier, 100th birthday. by \*Halford.

**House Resolution No. 38** -- Memorials, Death - Michael Reid Bodiford. by \*Vaughan.

**\*House Joint Resolution No. 381** -- Memorials, Sports - Tre Morrisette, State wrestling champion. by \*Crawford.

**\*House Joint Resolution No. 382** -- Memorials, Sports - Jackson Hurst, State wrestling champion. by \*Crawford.

**\*House Joint Resolution No. 383** -- Memorials, Interns - Donald Hall. by \*Crawford.

**\*House Joint Resolution No. 384** -- Memorials, Recognition - 105th Attack Squadron, 100th anniversary. by \*Ragan.

**\*House Joint Resolution No. 385** -- Memorials, Recognition - Cassie Lewis, 2020-2021 FFA State Reporter. by \*Hurt.

**\*House Joint Resolution No. 387** -- Memorials, Recognition - Allison Reaves, 2020-2021 FFA East Tennessee State Vice President. by \*Hawk.

**\*House Joint Resolution No. 388** -- Memorials, Death - Tamara Key Price. by \*Powell.

**\*House Joint Resolution No. 389** -- Memorials, Death - James Kenneth Porter. by \*Faison.

**\*House Joint Resolution No. 390** -- Memorials, Recognition - Casey Bohr, Jr., 2020-2021 FFA Middle Tennessee Vice President. by \*Lynn.

**\*House Joint Resolution No. 391** -- Memorials, Retirement - Jodi Riggins. by \*Howell.

**\*House Joint Resolution No. 392** -- Memorials, Recognition - City of White House, 50th anniversary. by \*Garrett, \*Kumar, \*Lamberth.

**\*House Joint Resolution No. 393** -- Memorials, Sports - Clay County High School boys' basketball team, TSSAA Division I Class A State Champions. by \*Keisling.

**SENATE JOINT RESOLUTIONS  
(Congratulatory and Memorializing)**

Pursuant to **Rule No. 17**, the resolutions listed were noted as being placed on the Consent Calendar for April 12, 2021:

**\*Senate Joint Resolution No. 383** -- Memorials, Death - Betty "Jo" Matherne. by \*Walley, \*Massey.

**\*Senate Joint Resolution No. 384** -- Memorials, Sports - Kane (Mayor Glenn Jacobs), induction into WWE Hall of Fame. by \*Massey, \*Briggs, \*McNally, \*Watson, \*Bell, \*Akbari, \*Bailey, \*Bowling, \*Campbell, \*Crowe, \*Gardenhire, \*Gilmore, \*Haile, \*Hensley, \*Jackson, \*Kelsey, \*Kyle, \*Lundberg, \*Niceley, \*Pody, \*Powers, \*Reeves, \*Roberts, \*Robinson, \*Rose, \*Southerland, \*Stevens, \*Swann, \*Walley, \*White, \*Yager, \*Yarbro.

**\*Senate Joint Resolution No. 386** -- Memorials, Retirement - Officer William Charles Kennedy. by \*Pody, \*Reeves.

**\*Senate Joint Resolution No. 387** -- Memorials, Academic Achievement - Molly Reasons, Valedictorian, Lewis County High School. by \*Hensley.

**\*Senate Joint Resolution No. 388** -- Memorials, Academic Achievement - Kane Dillon, Salutatorian, Lewis County High School. by \*Hensley.

**\*Senate Joint Resolution No. 389** -- Memorials, Academic Achievement - Maddox Cagle, Third Top Graduate, Lewis County High School. by \*Hensley.

**\*Senate Joint Resolution No. 390** -- Memorials, Academic Achievement - Kasandra Marie Castro, Fourth Top Graduate, Lewis County High School. by \*Hensley.

**\*Senate Joint Resolution No. 391** -- Memorials, Academic Achievement - Aaron Hunter, Fifth Top Graduate, Lewis County High School. by \*Hensley.

**\*Senate Joint Resolution No. 392** -- Memorials, Academic Achievement - Bradley Nickell, Sixth Top Graduate, Lewis County High School. by \*Hensley.

**\*Senate Joint Resolution No. 393** -- Memorials, Academic Achievement - Karli Bennett, Seventh Top Graduate, Lewis County High School. by \*Hensley.

**\*Senate Joint Resolution No. 394** -- Memorials, Academic Achievement - Emma Hinson, Eighth Top Graduate, Lewis County High School. by \*Hensley.

**\*Senate Joint Resolution No. 395** -- Memorials, Academic Achievement - Jayden Hinson, Ninth Top Graduate, Lewis County High School. by \*Hensley.

**\*Senate Joint Resolution No. 396** -- Memorials, Academic Achievement - Morgan Bailey, Tenth Top Graduate, Lewis County High School. by \*Hensley.

**\*Senate Joint Resolution No. 397** -- Memorials, Interns - William "Walker" Beasley. by \*Bell.

**THURSDAY, APRIL 8, 2021 – TWENTY-FIRST LEGISLATIVE DAY**

**\*Senate Joint Resolution No. 398** -- Memorials, Interns - Catrin Latham. by \*Massey.

**\*Senate Joint Resolution No. 399** -- Memorials, Recognition - Agent Michael Thomas of West Tennessee Drug Task Force. by \*Rose.

**\*Senate Joint Resolution No. 400** -- Memorials, Recognition - Ruth Ann Wallace. by \*Rose.

**\*Senate Joint Resolution No. 401** -- Memorials, Public Service - West Tennessee Drug Task Force's interdiction team, 2020 Team of the Year. by \*Rose.

**\*Senate Joint Resolution No. 402** -- Memorials, Sports - Greeneville High School Greene Devils basketball team, TSSAA Division I Class AA State Champions. by \*Southerland.

**\*Senate Joint Resolution No. 403** -- Memorials, Heroism - Fire Captain Brad Petty, Chattanooga Fire Department. by \*Gardenhire, \*Watson.

**\*Senate Joint Resolution No. 404** -- Memorials, Recognition - Second Presbyterian Church in Chattanooga, 150th anniversary. by \*Gardenhire, \*Watson.

**\*Senate Joint Resolution No. 405** -- Memorials, Sports - Mitchell Gibbons. by \*McNally, \*Yager.

**\*Senate Joint Resolution No. 406** -- Memorials, Recognition - Parrottsville Ruritan Club, 70th anniversary. by \*Southerland.

**\*Senate Joint Resolution No. 407** -- Memorials, Personal Achievement - Joseph and Joshua Rodriguez, Eagle Scouts. by \*Haile.

**\*Senate Joint Resolution No. 408** -- Memorials, Recognition - Froggy's Fog, LLC. by \*Hensley.

**\*Senate Joint Resolution No. 409** -- Memorials, Academic Achievement - Braden Cowan, Salutatorian, Springfield High School. by \*Roberts.

**\*Senate Joint Resolution No. 410** -- Memorials, Academic Achievement - Emily Richter, Valedictorian, Springfield High School. by \*Roberts.

**\*Senate Joint Resolution No. 411** -- Memorials, Academic Achievement - Zoey Johnson, Valedictorian, Springfield High School. by \*Roberts.

**\*Senate Joint Resolution No. 412** -- Memorials, Interns - Essence Owens. by \*Crowe.

**\*Senate Joint Resolution No. 413** -- Memorials, Death - Richard A. "Rick" Buerger. by \*Johnson.

**\*Senate Joint Resolution No. 414** -- Memorials, Professional Achievement - Amanda Kite, West Elementary School, Teacher of the Year. by \*Southerland.

**\*Senate Joint Resolution No. 415** -- Memorials, Professional Achievement - Julie Lambert, Russellville Elementary School, Teacher of the Year. by \*Southerland.

## THURSDAY, APRIL 8, 2021 – TWENTY-FIRST LEGISLATIVE DAY

**\*Senate Joint Resolution No. 416** -- Memorials, Professional Achievement - Amanda Hill, Manley Elementary School, Teacher of the Year. by \*Southerland.

**\*Senate Joint Resolution No. 418** -- Memorials, Death - Senator Curtis Person, Jr. by \*Kelsey, \*McNally, \*Yager.

### INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

**\*House Bill No. 1628** -- Hamilton County - Subject to local approval, creates the County Governmental Library Committee; establishes the duties and powers of the Committee. - Amends Chapter 109 of the Private Acts of 1967. by \*Hazlewood.

**\*House Bill No. 1629** -- Lewisburg - Subject to local approval, makes various changes to the charter of the City of Lewisburg. - Amends Chapter 36 of the Private Acts of 1961; as amended. by \*Warner.

### SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

**\*Senate Bill No. 146** -- Taxes, Sales - As introduced, specifies that "private nonprofit college or university" as it relates to a certain sales and use tax exemption includes a nonprofit academic medical center and teaching hospital that operates as a separate nonprofit corporation, but which, when founded, was operated as a division of a private nonprofit college or university and that continues to provide education and training of physicians, nurses, and other allied healthcare professionals. - Amends TCA Section 67-6-209. by \*Watson, \*Gilmore. (HB599 by \*Hazlewood)

**Senate Bill No. 163** -- Privacy, Confidentiality - As introduced, adds communications with a peer supporter occurring during a critical incident stress management intervention to those communications that are considered confidential and for which a person cannot be called to testify or otherwise divulge. - Amends TCA Title 10 and Title 24, Chapter 1. by \*Pody, \*White. (\*HB167 by \*Moody)

**\*Senate Bill No. 173** -- Personal Property - As introduced, clarifies that the Tennessee Self-Service Storage Facility Act applies to transportable storage structures or containers. - Amends TCA Title 47 and Title 66. by \*Lundberg. (HB329 by \*Crawford)

**Senate Bill No. 177** -- Beer - As introduced, authorizes beer manufacturers to self-distribute beer within a 100-mile radius of the manufacturer if the manufacturer brews 50,000 gallons or less. - Amends TCA Title 57, Chapter 5. by \*Lundberg. (\*HB189 by \*Faison)

**Senate Bill No. 224** -- Economic and Community Development - As introduced, encourages each county's joint economic and community development board to include representation from school systems located within the county; revises other powers and actions taken by the board. - Amends TCA Section 6-58-114. by \*Hensley. (\*HB155 by \*Haston)



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**Senate Bill No. 279** -- Banks and Financial Institutions - As introduced, requires the Tennessee advisory commission on intergovernmental relations (TACIR) to study the feasibility of creating a state gold depository and to report its findings to the speakers of the senate and house of representatives no later than January 1, 2022. - Amends TCA Title 4; Title 8; Title 9; Title 12; Title 45; Title 47; Title 48; Title 56 and Title 67. by \*Rose. (\*HB353 by \*Hulsey)

**Senate Bill No. 399** -- Law Enforcement - As introduced, requires law enforcement officers to undergo training on the proper testing procedures for use in investigating cases of suspected driving under the influence as part of the annual in-service training required for certifications that occur on or after January 1, 2022. - Amends TCA Title 38, Chapter 8 and Title 55, Chapter 10, Part 4. by \*Massey. (\*HB328 by \*Howell)

**\*Senate Bill No. 410** -- Medical Occupations - As introduced, specifically authorizes a licensed medical professional who draws blood at a nonprofit blood bank or blood center, a dentist, or a nurse to administer a vaccination against COVID-19 as long as the professional, dentist, or nurse has received appropriate training on how to administer the vaccination. - Amends TCA Title 63. by \*Gilmore, \*Campbell. (HB565 by \*Dixie, \*Camper, \*Hardaway, \*Hakeem, \*Shaw, \*McKenzie, \*Parkinson, \*Love, \*Chism, \*Towns, \*Miller, \*Lamar, \*Harris, \*Cooper, \*Ramsey)

**\*Senate Bill No. 447** -- Children's Services, Dept. of - As introduced, requires a secure detention or correctional facility housing juveniles to immediately report any security breach to the department and local law enforcement; requires the department to include information on escapes, attempted escapes, security breaches, or attempted security breaches in the previous calendar year in the department's annual report. - Amends TCA Title 37 and Title 39. by \*Bell. (HB1231 by \*Littleton, \*Sherrell)

**\*Senate Bill No. 488** -- Disabled Persons - As introduced, prohibits certain healthcare providers and entities from discriminating against qualified persons for receipt of transplantations or anatomical gifts based solely on disability; prohibits insurers that offer plans covering transplantations from denying coverage solely on disability. - Amends TCA Title 8; Title 33; Title 56; Title 63; Title 68 and Title 71. by \*Bell. (HB1464 by \*Cochran, \*Whitson)

**Senate Bill No. 615** -- Health Care - As introduced, requires healthcare providers to ensure that certain patients in their care are provided with access to a qualified mental health professional or contact information for a qualified mental health professional or mental health counseling resource. - Amends TCA Title 4; Title 33; Title 63 and Title 68. by \*Bell. (\*HB180 by \*Hall, \*Ramsey)

**Senate Bill No. 699** -- Public Records - As introduced, requires that captured plate data from automatic license plate reader systems be treated as confidential and not be open for inspection by members of the public. - Amends TCA Title 10, Chapter 7, Part 5. by \*Lundberg, \*Pody. (\*HB809 by \*Powell, \*Lamberth, \*Cooper, \*Camper, \*Hurt, \*Grills, \*Thompson, \*Ramsey, \*Parkinson, \*Lafferty, \*Faison)

**\*Senate Bill No. 886** -- Judges and Chancellors - As introduced, allows a general sessions or juvenile court judge serving by interchange to receive reimbursement for travel expenses from the county to which the judge travels to serve; limits certain travel expenses to no more than \$100 per day. - Amends TCA Section 16-15-209. by \*Stevens. (HB1122 by \*Farmer, \*Griffey)

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**\*Senate Bill No. 1132** -- Tennessee Bureau of Investigation - As introduced, requires the human trafficking advisory council to inform the judiciary committee of the senate and the criminal justice committee of the house of representatives of the council's legislation recommendations. - Amends TCA Title 4, Chapter 3, Part 30; Title 37; Title 39; Title 40; Title 49 and Section 71-1-135. by \*White, \*Massey, \*Reeves. (HB1334 by \*Baum)

**Senate Bill No. 1151** -- Treasurer, State - As introduced, authorizes the board of claims to approve, and the state treasurer to establish and maintain, a captive insurance company for the state. - Amends TCA Title 9, Chapter 8, Part 1 and Title 56. by \*Johnson. (\*HB1010 by \*Hicks G, \*Freeman)

**Senate Bill No. 1179** -- Public Health - As introduced, removes the prohibition on operating a needle and hypodermic syringe exchange program within 1,000 feet of a public park in certain counties and municipalities. - Amends TCA Title 68. by \*Yarbro. (\*HB1088 by \*Hakeem)

**\*Senate Bill No. 1201** -- Growth and Development - As introduced, deletes requirements for cities and counties to develop comprehensive growth plans. - Amends TCA Title 4, Chapter 10; Title 6; Title 7; Title 13 and Title 65, Chapter 4. by \*Southerland. (HB1412 by \*Lafferty, \*Hawk)

**Senate Bill No. 1229** -- Education, Curriculum - As introduced, requires an LEA or public charter school to notify a student's parent or guardian prior to commencing instruction of a sexual orientation or gender identity curriculum; permits a parent or guardian to excuse the parent's or guardian's student from a sexual orientation or gender identity curriculum, and prohibits the LEA or charter school from penalizing an excused student. - Amends TCA Title 49, Chapter 6, Part 13. by \*Rose, \*Jackson, \*Pody. (\*HB529 by \*Moody, \*Griffey)

**Senate Bill No. 1262** -- Taxes, Privilege - As introduced, authorizes a local governing body to pass a resolution or ordinance requiring 50 percent of the residential development tax levied under the County Powers Relief Act to be paid at the time of application for a building permit and the remaining 50 percent of the tax to be paid prior to the issuance of a certificate of occupancy. - Amends TCA Title 67, Chapter 4, Part 29. by \*Reeves. (\*HB1172 by \*Baum, \*Terry)

**\*Senate Bill No. 1270** -- Motor Vehicles, Titling and Registration - As introduced, increases, from \$4.00 to \$5.00, the amount of the fee that may be imposed by each county clerk for the service of handling mail orders of registration plates and decals. - Amends TCA Section 55-4-105. by \*Reeves. (HB1360 by \*Mannis)

**\*Senate Bill No. 1285** -- Children - As introduced, specifies that the trial judge may consider whether the victim of the offense of unlawful photographing in violation of privacy is a minor to determine if the offender is required to register as a sexual offender. - Amends TCA Title 10, Chapter 7; Title 37; Title 38; Title 39; Title 40 and Title 55. by \*White. (HB1312 by \*Terry)

**\*Senate Bill No. 1307** -- Landlord and Tenant - As introduced, enacts the "Right to Call for Help Act" to prohibit certain penalties based on a property owner or lessee calling for emergency assistance. - Amends TCA Title 66. by \*Yarbro, \*Gilmore. (HB1361 by \*Mannis)

## THURSDAY, APRIL 8, 2021 – TWENTY-FIRST LEGISLATIVE DAY

**Senate Bill No. 1339** -- Professions and Occupations - As introduced, adds licensed aestheticians working under the supervision of a licensed physician to the list of persons exempt from the Tennessee Cosmetology Act of 1986. - Amends TCA Section 62-4-109. by \*Hensley, \*Crowe, \*Robinson. (\*HB915 by \*Hawk)

**Senate Bill No. 1612** -- Motor Vehicles - As introduced, requires persons engaged in the business of buying or selling used automobile parts to keep permanent records of such transactions involving unattached catalytic converters; requires persons engaged in the business of buying or selling unattached catalytic converters as a single item and not as part of a scrapped motor vehicle to register with the chief of police and sheriff of each city and county in which the activity is carried on. - Amends TCA Title 38; Title 55 and Title 62. by \*Bailey, \*Jackson, \*Powers. (\*HB1155 by \*Gillespie, \*Townes, \*Powell)

**\*Senate Bill No. 1615** -- Motor Vehicles - As introduced, increases from 10 days to 10 business days, the time by which licensed motor vehicle dealers must give the motor vehicle commission written notice of changes in the labor rate charged to retail customers and the labor rate charged to the manufacturers or distributors for warranty repairs or servicing. - Amends TCA Section 55-17-121. by \*Bailey, \*Massey, \*McNally, \*Yager. (HB1352 by \*Vaughan, \*Lamberth)

### CAPTION BILLS REFERRED April 6, 2021

Pursuant to **Rule No. 47**, the following Caption Bills 628 and 630 held on the Clerk's desk were referred to the following Committees:

**\*House Bill No. 628** -- Vital Records -- House Criminal Justice Committee

**\*House Bill No. 630** -- Health Care -- House Criminal Justice Committee

### REPORTS FROM STANDING COMMITTEES

The committees that met on **April 6, 2021**, reported the following:

#### COMMERCE COMMITTEE

The Commerce Committee recommended for passage: House Bills Nos. 1298 and 943, also House Bills Nos. 1336 and 732 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill No. 353, also House Bill No. 779 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

**FINANCE, WAYS, AND MEANS COMMITTEE**

The Finance, Ways, and Means Committee recommended for passage: House Bills Nos. 1082, 531, 768, 201, 682, 699, 404, 469, 165, 1114, 145, 1186, 1172 and 652, also House Bills Nos. 191, 539 and 142 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

**INSURANCE COMMITTEE**

The Insurance Committee recommended for passage: House Bills Nos. 1463 and 619. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bills Nos. 1398, 979 and 556 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

The Committee also transmitted the following to the Government Operations Committee for review: House Bills Nos. 1195 and 360 with amendments.

**LOCAL GOVERNMENT COMMITTEE**

The Local Government Committee recommended for passage: House Bills Nos. 1620, 1609, 1622, 1623 and 1621, also House Bills Nos. 966, 856, 549 and 1178 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bills Nos. 358, 952, 155, 622 and 189 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

**NAMING AND DESIGNATING COMMITTEE**

The Naming and Designating Committee recommended for passage: Senate Joint Resolution No. 68. Under the rules, each was transmitted to the Calendar and Rules Committee.

**STATE GOVERNMENT COMMITTEE**

The State Government Committee recommended for passage: House Bills Nos. 456, 663, 1401 and 1488, also House Bills Nos. 1436, 853 and 197 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bills Nos. 171 and 432, also House Bills Nos. 720 and 648 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

The Committee also transmitted the following to the Government Operations Committee for review: House Bill No. 347.

**REPORTS FROM STANDING COMMITTEES**

The committees that met on **April 7, 2021**, reported the following:

**AGRICULTURE AND NATURAL RESOURCES COMMITTEE**

The Agriculture and Natural Resources Committee recommended for passage: House Joint Resolution No. 139, also House Bill No. 871 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bills Nos. 813 and 1389 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

The Committee also transmitted the following to the Government Operations Committee for review: House Bills Nos. 90 and 887 with amendments.

**CIVIL JUSTICE COMMITTEE**

The Civil Justice Committee recommended for passage: House Bill No. 1190, also House Bills Nos. 676, 237 and 1231 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill No. 465 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

The Committee also transmitted the following to the Government Operations Committee for review: House Bill No. 581 with amendments.

**CRIMINAL JUSTICE COMMITTEE**

The Criminal Justice Committee recommended for passage: House Bills Nos. 1334, 1171 and 1312 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bills Nos. 1211, 1599 and 1416, also House Bills Nos. 1433 and 1388 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

**Report of the Criminal Justice Committee to Recommend to the House of Representatives the Confirmation Or Rejection of the Honorable Jill Bartee Ayers to the Position of Judge of the Court of Criminal Appeals of Tennessee, Middle Section**

On February 23, 2021, the Honorable Bill Lee, Governor of the state of Tennessee, submitted a notice of appointment to the Chief Clerk of the Senate and Chief Clerk of the House of Representatives of the Governor's appointment of the Honorable Jill Bartee Ayers to fill a vacancy in the office of Judge of the Court of Criminal Appeals, Middle Section.

## THURSDAY, APRIL 8, 2021 – TWENTY-FIRST LEGISLATIVE DAY

Pursuant to Tennessee Code Annotated, Section 17-4-102, and the Rules of the House of Representatives, the Chief Clerk referred the notice of appointment to the Criminal Justice Committee to conduct a hearing on the Governor's nomination.

On April 7, 2021, at 3:30 p.m., Representative Michael G. Curcio, Chairman of the Criminal Justice Committee to which the notice of appointment of the Honorable Jill Bartee Ayers was referred, conducted a hearing to recommend to the House of Representatives whether Ms. Ayers' nomination to the office of Judge of the Court of Criminal Appeals, Middle Section should be confirmed or rejected.

At the conclusion of the hearing, a vote of the Committee was taken. It was the recommendation of the Committee, by a unanimous voice vote, that, pursuant to Article VI, Section 3 of the Constitution of Tennessee, the Honorable Jill Bartee Ayers be confirmed as Judge of the Tennessee Court of Criminal Appeals, Middle Section.

Attached to this report is the application of the Honorable Jill Bartee Ayers for the position of Judge of the Tennessee Court of Criminal Appeals, Middle Section.

Respectfully Submitted,

/s/ Michael G. Curcio  
Chair, Criminal Justice Committee

### EDUCATION ADMINISTRATION COMMITTEE

The Education Administration Committee recommended for passage: House Bill No. 1305, also House Bills Nos. 1443, 1342 and 1410 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bills Nos. 631, 1351, 73 and 1001 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

The Committee also transmitted the following to the Government Operations Committee for review: House Bills Nos. 1246 and 1534 with amendments.

### EDUCATION INSTRUCTION COMMITTEE

The Education Instruction Committee recommended for passage: House Bill No. 1446, also House Bills Nos. 795, 1513, 1570 and 1535 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill No. 800. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

### HEALTH COMMITTEE

The Health Committee recommended for passage: House Bill No. 670 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

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It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bills Nos. 555 and 1356. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

The Committee also transmitted the following to the Government Operations Committee for review: House Bill No. 710, also House Bill No. 1181 with amendments.

### TRANSPORTATION COMMITTEE

The Transportation Committee recommended for passage: House Bill No. 532. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bills Nos. 236, 123 and 124 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

### REPORTS FROM STANDING COMMITTEES

The committees that met on **April 8, 2021**, reported the following:

#### COMMITTEE ON CALENDAR AND RULES

The Calendar and Rules Committee met and set the following bills on the **Regular Calendar** for **April 12, 2021**: House Bills Nos. 1303, 1418, 1187, 1199, 1362, 240, 641, 201, 732, 925, 127, 180, 462, 1049, 525, 928, 1336, 549, 943, and 966.

The committee also set the following bills on the **Regular Calendar** for **April 14, 2021**: House Bills Nos. 1186, 1513, 1570, 856, 456, 191, 539, 145, 165, 682, 853, 1082, 1114, 1144, 1179, 167, 529, 718, 1074, 613, 722, 723, 1537, 1622, and 978.

The committee also set the following bills on the **Regular Calendar** for **April 15, 2021**: House Bills Nos. 412, 472, 476, 1238, 778, 142, 1178, 1436, 217, 1352, 1353, 361, and 197.

The committee also set the following bill on the **Regular Calendar** for **April 19, 2021**: House Bill No. 795.

The committee also set the following bills on the **Consent Calendar** for **April 12, 2021**: House Bill No. 493, House Joint Resolutions Nos. 128, 129, 130, 131, 229, 238, 219, 220, House Bills Nos. 331, 531, 1620, 1463, 1401, 1363, 447, 342, 768, 699, 1172, Senate Joint Resolution No. 68, House Bills Nos. 663, 404, 469, 1621, 1612, 1623, 652, 346 and 1609.

### DELAYED BILLS REFERRED APRIL 8, 2020

Pursuant to **Rule No. 77**, having been prefiled for introduction, Senate Joint Resolution No. 343 was referred to the Delayed Bills Committee.

**\*Senate Joint Resolution No. 343** -- Naming and Designating - Honor the Fallen Month, May 2021. by \*Johnson, \*Powers.

CONSENT CALENDAR

**\*House Joint Resolution No. 379** -- Memorials, Recognition - Nick and April Patterson. by \*Grills, \*Keisling.

**\*House Joint Resolution No. 380** -- Memorials, Recognition - Mickela Mooney, 2020-2021 FFA West Tennessee Vice President. by \*Haston.

**\*Senate Joint Resolution No. 366** -- Memorials, Death - Senator Jerry Cooper. by \*Bowling, \*McNally, \*Akbari, \*Bailey, \*Bell, \*Briggs, \*Campbell, \*Crowe, \*Gardenhire, \*Gilmore, \*Haile, \*Hensley, \*Jackson, \*Johnson, \*Kelsey, \*Kyle, \*Lundberg, \*Massey, \*Niceley, \*Pody, \*Powers, \*Reeves, \*Roberts, \*Robinson, \*Rose, \*Southerland, \*Stevens, \*Swann, \*Walley, \*Watson, \*White, \*Yager, \*Yarbro.

**\*Senate Joint Resolution No. 367** -- Memorials, Recognition - Tim Sigler. by \*McNally, \*Johnson, \*Akbari, \*Bailey, \*Bell, \*Bowling, \*Briggs, \*Campbell, \*Crowe, \*Gardenhire, \*Gilmore, \*Haile, \*Hensley, \*Jackson, \*Kelsey, \*Kyle, \*Lundberg, \*Massey, \*Niceley, \*Pody, \*Powers, \*Reeves, \*Roberts, \*Robinson, \*Rose, \*Southerland, \*Stevens, \*Swann, \*Walley, \*Watson, \*White, \*Yager, \*Yarbro.

**\*Senate Joint Resolution No. 368** -- Memorials, Professional Achievement - Tabitha Coble, Lewis County High School Teacher of the Year. by \*Hensley.

**\*Senate Joint Resolution No. 369** -- Memorials, Professional Achievement - Tara Tiller, Lewis County Middle School Teacher of the Year. by \*Hensley.

**\*Senate Joint Resolution No. 370** -- Memorials, Professional Achievement - Samantha Johnson Webb, Lewis County Intermediate School Teacher of the Year. by \*Hensley.

**\*Senate Joint Resolution No. 371** -- Memorials, Professional Achievement - Misty Fite, Lewis County Elementary School Teacher of the Year. by \*Hensley.

**\*Senate Joint Resolution No. 372** -- Memorials, Recognition - Brant Lee Helms, Billy Michal Student Leadership Award. by \*Yager.

**\*Senate Joint Resolution No. 373** -- Memorials, Academic Achievement - Atira Merwan Aidarous, Salutatorian, Arlington High School. by \*Rose.

**\*Senate Joint Resolution No. 374** -- Memorials, Academic Achievement - Brandon Hung Pham, Valedictorian, Arlington High School. by \*Rose.

**\*Senate Joint Resolution No. 375** -- Memorials, Academic Achievement - Leo Earl Osborne, Salutatorian, Bartlett High School. by \*Rose.

**\*Senate Joint Resolution No. 376** -- Memorials, Academic Achievement - Vraj Manish Patel, Valedictorian, Bartlett High School. by \*Rose.

**\*Senate Joint Resolution No. 377** -- Memorials, Academic Achievement - Kathryn Noelle Werner, Salutatorian, Munford High School. by \*Rose.



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**\*Senate Joint Resolution No. 378** -- Memorials, Academic Achievement - Rebekah Brook Callahan, Valedictorian, Munford High School. by \*Rose.

**\*Senate Joint Resolution No. 379** -- Memorials, Academic Achievement - Jackson Alan Rezach, Salutatorian, Brighton High School. by \*Rose.

**\*Senate Joint Resolution No. 380** -- Memorials, Academic Achievement - Ian Thomas Keith, Valedictorian, Brighton High School. by \*Rose.

**\*Senate Joint Resolution No. 381** -- Memorials, Recognition - Vietnam War veterans of the University of Tennessee at Martin chapter of Alpha Gamma Rho. by \*Stevens, \*Akbari, \*Bailey, \*Bell, \*Bowling, \*Briggs, \*Campbell, \*Crowe, \*Gardenhire, \*Gilmore, \*Haile, \*Hensley, \*Jackson, \*Kelsey, \*Kyle, \*Lundberg, \*Massey, \*Niceley, \*Pody, \*Powers, \*Reeves, \*Roberts, \*Robinson, \*Rose, \*Southerland, \*Swann, \*Walley, \*Watson, \*White, \*Yager, \*Yarbro, \*McNally.

**\*Senate Joint Resolution No. 382** -- Memorials, Death - John Benton "Bubba" Woodfin. by \*Reeves, \*White.

Pursuant to **Rule No. 50**, Rep. Zachary moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate Joint Resolutions confirming appointments on the Clerk's desk be substituted for House Joint Resolutions confirming the same appointments, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes .....	87
Noes .....	0

Representatives voting aye were: Alexander, Baum, Beck, Boyd, Bricken, Calfee, Campbell S, Camper, Carr, Carringer, Casada, Cepicky, Chism, Clemmons, Cochran, Cooper, Crawford, Curcio, Darby, Dixie, Doggett, Eldridge, Faison, Freeman, Gant, Garrett, Gillespie, Griffey, Grills, Hakeem, Halford, Hall, Harris, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Howell, Hulse, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Lynn, Mannis, Marsh, McKenzie, Miller, Moody, Moon, Powell, Powers, Ragan, Ramsey, Reedy, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Terry, Thompson, Todd, Travis, Vaughan, Warner, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--87

A motion to reconsider was tabled.

REGULAR CALENDAR

**\*House Joint Resolution No. 8** -- Constitutional Conventions - Makes application to Congress for the purpose of calling an Article V convention to propose an amendment to the United States Constitution to set a limit on the number of terms to which a person may be elected as a member of the Congress of the United States. by \*Todd, \*Eldridge, \*Mannis, \*Garrett, \*Zachary, \*Doggett, \*Calfee, \*Williams, \*Ogles, \*Bricken, \*Hurt, \*Powers, \*Sexton J, \*Moon, \*Farmer, \*Hicks T, \*Wright, \*Carr, \*Lynn.

Further consideration of House Joint Resolution No. 8, previously considered on March 15, 2021 and March 25, 2021, at which time it was reset for today's Calendar.

Rep. Todd moved adoption of House Joint Resolution No. 8.

Rep. Miller moved the previous question, which motion prevailed.

Rep. Todd moved adoption of **House Joint Resolution No. 8**, which motion prevailed by the following vote:

Ayes .....	53
Noes.....	34
Present and not voting.....	4

Representatives voting aye were: Alexander, Boyd, Bricken, Calfee, Campbell S, Carr, Carringer, Cepicky, Chism, Cochran, Crawford, Darby, Doggett, Eldridge, Garrett, Gillespie, Grills, Hall, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Johnson C, Keisling, Lafferty, Lynn, Mannis, Marsh, Moon, Powers, Ragan, Ramsey, Reedy, Russell, Sexton J, Sherrell, Smith, Sparks, Terry, Todd, Travis, Warner, Whitson, Williams, Windle, Wright, Zachary--53

Representatives voting no were: Baum, Beck, Camper, Casada, Clemmons, Cooper, Curcio, Dixie, Faison, Freeman, Griffey, Hakeem, Halford, Harris, Hodges, Jernigan, Johnson G, Kumar, Lamar, Leatherwood, Love, McKenzie, Miller, Mitchell, Moody, Parkinson, Powell, Rudder, Shaw, Thompson, Towns, Vaughan, Weaver, Mr. Speaker Sexton--34

Representatives present and not voting were: Gant, Lamberth, Rudd, White--4

A motion to reconsider was tabled.

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**\*House Bill No. 961** -- Law Enforcement - As introduced, states that a law enforcement officer meeting certain qualifications who makes an arrest outside of the law enforcement officer's jurisdiction has the same legal status and immunity from suit as a state or local law enforcement officer making an arrest within the state or local law enforcement officer's jurisdiction if certain circumstances are met. - Amends TCA Section 38-3-113. by \*Whitson, \*Griffey, \*Moon, \*Sherrell, \*White, \*Sparks, \*Russell, \*Smith, \*Moody, \*Jernigan, \*Hazlewood, \*Helton, \*Cepicky, \*Hurt. (SB1232 by \*Rose, \*Pody)

Rep. Whitson moved that **House Bill No. 961** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 91  
Noes..... 0

Representatives voting aye were: Alexander, Baum, Beck, Boyd, Bricken, Calfee, Camper, Carr, Carringer, Casada, Cepicky, Chism, Clemmons, Cochran, Cooper, Crawford, Curcio, Darby, Dixie, Doggett, Eldridge, Faison, Freeman, Gant, Garrett, Gillespie, Griffey, Grills, Hakeem, Halford, Hall, Harris, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Mannis, Marsh, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Terry, Thompson, Todd, Towns, Travis, Vaughan, Warner, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--91

A motion to reconsider was tabled.

**\*House Bill No. 1613** -- White Bluff - Subject to local approval, staggers the terms of the mayor and council members and aligns their elections to coincide with the general elections in November; increases the salaries of the mayor and council members; changes the residency requirements for the city judge. - Amends Chapter 257 of the Private Acts of 1923; as amended. by \*Littleton. (SB1637 by \*Roberts)

Rep. Littleton moved that **House Bill No. 1613** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 87  
Noes..... 0

Representatives voting aye were: Alexander, Baum, Beck, Boyd, Bricken, Calfee, Campbell S, Camper, Carr, Carringer, Casada, Cepicky, Chism, Clemmons, Cochran, Cooper, Crawford, Curcio, Darby, Dixie, Doggett, Eldridge, Faison, Freeman, Gant, Garrett, Gillespie, Griffey, Grills, Hakeem, Halford, Hall, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Mannis, Marsh, McKenzie, Miller, Mitchell, Moody, Moon, Powers, Ragan, Ramsey, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Terry, Thompson, Todd, Towns, Travis, Vaughan, Warner, Weaver, White, Whitson, Williams, Windle, Wright, Mr. Speaker Sexton--87

A motion to reconsider was tabled.

**EXCUSED**

The Speaker announced that the following member has been excused, pursuant to request under **Rule No. 20**:

Representative Sparks

**PRESENT IN CHAMBER**

Rep. Stewart was recorded as being present in the Chamber.

**REGULAR CALENDAR, CONTINUED**

**\*House Bill No. 200** -- Child Custody and Support - As introduced, expands the factors a court may consider in determining whether termination of parental rights is in the best interest of the child; clarifies that the court is not required to consider all factors and may consider relevant factors other than those listed. - Amends TCA Title 36, Chapter 1. by \*Carter, \*Littleton, \*Bricken, \*Leatherwood. (SB205 by \*Haile, \*Massey, \*Jackson, \*Reeves, \*Rose)

On motion, House Bill No. 200 was made to conform with **Senate Bill No. 205**; the Senate Bill was substituted for the House Bill.

Rep. Littleton moved that **Senate Bill No. 205** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 89  
Noes ..... 0

Representatives voting aye were: Alexander, Baum, Beck, Boyd, Bricken, Calfee, Campbell S, Camper, Carr, Carringer, Casada, Cepicky, Chism, Clemmons, Cochran, Cooper, Crawford, Curcio, Darby, Dixie, Doggett, Eldridge, Faison, Freeman, Gant, Garrett, Gillespie, Griffey, Grills, Hakeem, Halford, Hall, Harris, Hawk, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Mannis, Marsh, McKenzie, Miller, Moody, Moon, Parkinson, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Stewart, Terry, Thompson, Todd, Towns, Travis, Vaughan, Warner, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--89

A motion to reconsider was tabled.

**REQUEST TO CHANGE VOTE**

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "not voting" to "aye" on **Senate Bill No. 205** and have this statement entered in the Journal: Rep. Hazlewood.

**REGULAR CALENDAR, CONTINUED**

**House Bill No. 674** -- Alcoholic Beverages - As introduced, defines "food hall" for purposes of consumption of alcohol on the premises of a food hall. - Amends TCA Title 57. by \*Freeman, \*Beck, \*Dixie, \*Curcio, \*Lamar. (\*SB299 by \*Briggs)

Rep. Freeman moved that House Bill No. 674 be passed on third and final consideration.

Rep. Keisling moved adoption of State Government Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 674 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 57-4-101(a), is amended by adding the following new subdivision (22):

(22) Food hall, as defined in Section 2, to those in attendance at the food hall, subject to the provisions of this chapter.

SECTION 2. Tennessee Code Annotated, Section 57-4-102, is amended by adding the following new subdivision:

( )

(A) "Food hall" means a public place:

(i) Kept, used, maintained, advertised, and held out to the public as a place where meals are served and where meals are actually and regularly served;

(ii) With adequate and sanitary kitchens, dining room equipment, and a seating capacity of at least one thousand two hundred (1,200) people at tables, counters, and other places for dining;

(iii) Having a sufficient number and kind of persons to prepare, cook, and serve suitable food for guests; and

(iv) Located in a facility or designated area having the following characteristics upon completion of construction:

(a) The facility has at least ninety thousand square feet (90,000 sq. ft.) in a multi-level mixed-used commercial building which includes restaurants, bars, and a rooftop with a live music venue;

(b) The facility includes at least twenty (20) separate points of sale, contiguous or noncontiguous, that regularly prepare and sell food;

(c) The property that houses the facility is across a public street from a live performance venue that was originally constructed in 1892 as a religious facility;

(d) The property that houses the facility is adjacent to a facility originally constructed in 1925 that houses the Grand Lodge of Free and Accepted Masons of Tennessee; and

(e) The facility is located in a county with a metropolitan form of government having a population of not less than five hundred thousand (500,000), according to the 2010 federal census or any subsequent federal census;

(B) The premises of a food hall means any or all of the property that constitutes the food hall, except any other separately licensed premises that are located in the food hall. The licensee may operate multiple points of sale with different business names within the food hall. The licensee shall designate the premises and each point of sale to be licensed by the commission by filing a drawing of the premises, which may be amended by the licensee filing a new drawing. The points of sale may be noncontiguous within the licensed premises. The entire designated premises is covered under one (1) license issued under this subdivision ( ). The licensee does not have to prepare or sell food as a condition of the license;

(C) A licensee licensed as a food hall may grant a franchise for the provision of alcoholic beverages to a person that regularly prepares and sells food on the food hall premises. The holder of the franchise is deemed to be a food hall under this subdivision ( ), and such franchisee is not required to obtain its own license; provided, that prior notice must be given to the commission, in such manner as may be prescribed by the commission. The licensee shall pay the commission for each franchisee licensed under this subdivision ( ) a six hundred twenty-five dollar (\$625) annual privilege tax, which may be prorated for the first year based on the renewal date of the licensee;

(D) A restaurant may be located within the premises of a food hall; provided, that the defined premises of such restaurant may be open for public ingress and egress within the premises of the food hall. Such restaurant may store its inventory of beer and alcoholic beverages on the licensed premises of the restaurant or food hall pursuant to subdivision ( )(G);

(E) Each separate operating entity under the food hall license, whether the licensee or a franchisee, is independently liable for violations

committed by such operating entity, and a separate operating entity must not be held liable for the actions of another; provided, that the food hall license must not be renewed until all citations are resolved by an applicable operating entity. The commission may suspend or revoke the authority of a franchisee to operate under the food hall license without the operation of any other franchisee or the licensee under the license being affected. Each operating entity shall provide sufficient information to the commission to where the commission is able to determine which operating entity may be liable in the event of a violation;

(F) A licensee licensed under this subdivision ( ) may serve wine, high gravity beer, and beer in its original container, and spirit-based beverages in original containers that do not exceed three hundred seventy-five milliliters (375 ml) and an alcohol content that does not exceed fifteen percent (15%) by volume;

(G) The licensee or any of its franchisees licensed under this subdivision ( ) or a restaurant located on the premises of a food hall may store beer and alcoholic beverages in one (1) or more central storage locations in the food hall; provided, that if the restaurant, franchisee, and food hall share the same storage area, the restaurant's inventory of beer and alcoholic beverages must be stored in a separately locked cage or other storage area. Notwithstanding any other provision in this chapter, the licensee, franchisee, or restaurant may transport beer and alcoholic beverages anywhere in the food hall;

(H) Notwithstanding chapter 5 of this title to the contrary, the premises of a facility licensed under this subdivision ( ) means for beer permitting purposes any or all of the premises that constitutes the food hall, except any other permitted premises located in the food hall. The permittee may operate multiple points of sale with different business names within the facility, which may be contiguous or noncontiguous. The permittee shall designate the points of sale to be permitted by the local beer board by filing a drawing of the premises, which may be amended by the permittee filing a new drawing. The entire designated premises is covered under one (1) beer permit issued under chapter 5 of this title. The permittee may grant a franchise for the sale of beer on its premises, and the holder of the franchise is not required to obtain its own beer permit; provided, that the franchisee's premises qualify as an additional point of sale under this subdivision ( ). For enforcement purposes, the local beer board shall treat each point of sale in the facility separately for violations of chapter 5 of this title and local beer ordinances. The local beer board shall not cite a point of sale for violations committed by another point of sale within a common licensed area. There is a rebuttable presumption of liability for a specific point of sale for an underage sale or other violation based on the specific type of container, brand of beer or wine, unlabeled or labeled cup or glassware, or logo on the cup or glassware provided to the person or minor. In the absence of a container, glass, or cup identifying the point of sale, the local beer board may determine which point of sale to cite for an underage sale or other violation. If the local beer board is unable to

determine the violator after conducting a reasonable investigation, the local beer board may issue a citation to one (1) or more points of sale that share the common licensed area where the violation occurred;

(I) A licensee and franchisee licensed under this subdivision ( ) may sell and distribute wine in an unsealed container for consumption on the licensed premises;

(J) The facility, landlord, tenant, or a licensee located in a food hall shall provide periodic security throughout the entire licensed premises; and

(K) A food hall licensee does not have to use labeled cups and glassware, but a franchise authorized under subdivision (C) and a separately licensed restaurant under subdivision (D) must serve alcoholic beverages and beer in compliance with the requirements of § 57-4-101(p); provided, that a sticker identifying the franchisee or licensee, which is reasonably designed to stay affixed to a container, must comply with § 57-4-101(p);

SECTION 3. Tennessee Code Annotated, Section 57-4-301(b)(1), is amended by adding the following new subdivision (x):

(x) Food Hall \$1,250

SECTION 4. Tennessee Code Annotated, Section 57-4-201(b)(1), is amended by deleting the language "restaurant, club" and substituting instead the language "restaurant, food hall, club".

SECTION 5. This act takes effect upon becoming a law, the public welfare requiring it.

On motion, State Government Committee Amendment No. 1 was adopted.

Rep. Freeman moved that **House Bill No. 674** be reset for the next available Regular Calendar, which motion prevailed.

**House Bill No. 1196** -- State Government - As introduced, sets venue for actions challenging the constitutionality of a state statute, executive order, or administrative rule or regulation in the county where the plaintiff resides or, if the plaintiff is not a resident of Tennessee, in Sumner County. - Amends TCA Title 4; Title 8; Title 10; Title 13; Title 20; Title 27 and Title 57. by \*Garrett, \*Sexton C, \*Lamberth, \*Faison, \*Curcio, \*Ogles, \*Howell, \*Farmer, \*Calfee, \*Gillespie, \*Griffey, \*Gant, \*Smith, \*Crawford, \*Littleton, \*Bricken, \*Eldridge, \*Ramsey, \*Grills, \*Wright, \*Rudd, \*Hawk, \*Powers, \*Leatherwood, \*Moody, \*Hazlewood, \*Hicks T. (\*SB454 by \*Bell)

Rep. Garrett moved that House Bill No. 1196 be passed on third and final consideration.

Rep. Jernigan moved adoption of Civil Justice Committee Amendment No. 1 as follows:



**Amendment No. 1**

AMEND House Bill No. 1196 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 4, Chapter 4, is amended by adding the following as a new section:

(a) Notwithstanding § 4-4-104 and any other law to the contrary, venue for a civil action is the county where the plaintiff resides, or if more than one (1) plaintiff is a party to the action, a county where any plaintiff resides, if the civil action:

(1) Challenges the constitutionality of a state:

(A) Statute;

(B) Executive order; or

(C) Administrative rule or regulation;

(2) Includes a claim for declaratory judgment or injunctive relief;  
and

(3) Is brought individually, jointly, or severally against a state department or other state entity, commissioner, or official.

(b) If the plaintiff in a civil action under subsection (a) is not a resident of this state, then venue for the civil action is in Sumner County.

(c) This section applies only to civil actions brought solely against the entities or one (1) of the entities specified in subdivision (a)(3).

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.

On motion, Civil Justice Committee Amendment No. 1 was adopted.

**EXCUSED**

The Speaker announced that the following members have been excused, pursuant to requests under **Rule No. 20**:

Representative Eldridge

Representative Freeman

REGULAR CALENDAR, CONTINUED

Rep. Marsh moved the previous question, which motion prevailed by the following vote:

Ayes ..... 62  
Noes ..... 26

Representatives voting aye were: Alexander, Baum, Boyd, Bricken, Calfee, Campbell S, Carr, Carringer, Casada, Cepicky, Cochran, Crawford, Curcio, Darby, Doggett, Faison, Gant, Garrett, Griffey, Halford, Hall, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Johnson C, Keisling, Kumar, Leatherwood, Littleton, Lynn, Mannis, Marsh, Moody, Moon, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Sherrell, Smith, Terry, Todd, Travis, Vaughan, Warner, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--62

Representatives voting no were: Beck, Camper, Chism, Clemmons, Cooper, Dixie, Grills, Hakeem, Harris, Hodges, Jernigan, Johnson G, Lafferty, Lamar, Lamberth, Love, McKenzie, Miller, Mitchell, Parkinson, Powell, Shaw, Stewart, Thompson, Towns, Windle--26

Rep. Garrett moved that **House Bill No. 1196**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 69  
Noes ..... 21

Representatives voting aye were: Alexander, Baum, Boyd, Bricken, Calfee, Campbell S, Carr, Carringer, Casada, Cepicky, Cochran, Crawford, Curcio, Darby, Doggett, Faison, Gant, Garrett, Gillespie, Griffey, Grills, Halford, Hall, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Howell, Hulsey, Hurt, Johnson C, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Lynn, Mannis, Marsh, Moody, Moon, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Sherrell, Smith, Terry, Todd, Travis, Vaughan, Warner, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--69

Representatives voting no were: Beck, Camper, Chism, Clemmons, Cooper, Dixie, Hakeem, Harris, Jernigan, Johnson G, Lamar, Love, McKenzie, Miller, Mitchell, Parkinson, Powell, Shaw, Stewart, Thompson, Towns--21

A motion to reconsider was tabled.

**\*House Bill No. 842** -- Local Education Agencies - As introduced, requires each high school to designate an apprenticeship training program contact; requires the department of education to compile and publish a list of the apprenticeship program contacts. - Amends TCA Title 4; Title 49; Title 62 and Title 67. by \*Thompson, \*Parkinson, \*Griffey, \*Clemmons, \*Moody, \*Lamar, \*Camper, \*Chism, \*Love. (SB844 by \*Yarbro, \*Akbari, \*Bowling)

On motion, House Bill No. 842 was made to conform with **Senate Bill No. 844**; the Senate Bill was substituted for the House Bill.

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Rep. Thompson moved that **Senate Bill No. 844** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 87  
Noes ..... 0

Representatives voting aye were: Alexander, Baum, Beck, Boyd, Bricken, Calfee, Campbell S, Camper, Carr, Carringer, Casada, Cepicky, Chism, Clemmons, Cochran, Cooper, Crawford, Curcio, Darby, Dixie, Faison, Gant, Garrett, Gillespie, Griffey, Grills, Hakeem, Halford, Hall, Harris, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Mannis, Marsh, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Stewart, Terry, Thompson, Todd, Towns, Travis, Vaughan, Warner, Weaver, White, Whitson, Williams, Windle, Wright, Mr. Speaker Sexton--87

A motion to reconsider was tabled.

**\*House Bill No. 1603** -- Benton County - Subject to local approval, requires operators liable for the collection and payment to the county of a mineral severance tax to keep and preserve records necessary to determine the amount of the tax due and payable to the county for three years. - Amends Chapter 89 of the Private Acts of 1979. by \*Griffey. (SB1626 by \*Stevens)

Rep. Griffey moved that House Bill No. 1603 be passed on third and final consideration.

Rep. Crawford moved adoption of Local Government Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 1603 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Chapter 89 of the Private Acts of 1979, and any other acts amendatory thereto, is amended by adding the following new paragraph at the end of Section 4:

It is the duty of every operator liable for the collection and payment to the county of any tax imposed by this act to keep and preserve for a period of three (3) years all records necessary to determine the amount of tax due and payable to the county. The clerk or authorized tax collector has the right to inspect such records at all reasonable times.

SECTION 2. Chapter 89 of the Private Acts of 1979, and any other acts amendatory thereto, is amended in Section 2 by deleting the language "five cents (5¢) per ton" and substituting instead the language "fifteen cents (15¢) per ton".

SECTION 3. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of Benton County. Its approval or nonapproval shall be

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proclaimed by the presiding officer of such legislative body and certified to the secretary of state.

SECTION 4. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 3.

On motion, Local Government Committee Amendment No. 1 was adopted.

Rep. Griffey moved that **House Bill No. 1603**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	83
Noes.....	4
Present and not voting.....	1

Representatives voting aye were: Alexander, Baum, Beck, Boyd, Bricken, Calfee, Campbell S, Camper, Carr, Carringer, Casada, Cepicky, Chism, Clemmons, Cochran, Cooper, Crawford, Curcio, Darby, Dixie, Doggett, Faison, Gant, Garrett, Gillespie, Griffey, Hakeem, Halford, Hall, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Mannis, Marsh, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Shaw, Sherrell, Smith, Stewart, Terry, Thompson, Towns, Travis, Vaughan, Warner, White, Whitson, Williams, Wright, Mr. Speaker Sexton--83

Representatives voting no were: Grills, Harris, Sexton J, Windle--4

Representatives present and not voting were: Todd--1

A motion to reconsider was tabled.

**\*House Bill No. 1604** -- Benton County - Subject to local approval, requires the clerk or authorized collector of the county pulpwood severance tax to audit pulpwood operators at least once a year and to report the results of such audits to the county legislative body on a quarterly basis; requires operators to maintain records from the previous three years of operation necessary to determine the amount of the tax due to the county. - Amends Chapter 55 of the Private Acts of 1997. by \*Griffey. (SB1625 by \*Stevens)

Rep. Griffey moved that **House Bill No. 1604** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	87
Noes.....	0

Representatives voting aye were: Alexander, Baum, Beck, Boyd, Bricken, Calfee, Campbell S, Camper, Carr, Carringer, Casada, Chism, Clemmons, Cochran, Cooper, Crawford, Curcio, Darby, Dixie, Doggett, Faison, Gant, Garrett, Gillespie, Griffey, Grills, Hakeem, Halford, Hall, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth,

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Leatherwood, Littleton, Love, Lynn, Mannis, Marsh, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Sherrell, Smith, Stewart, Terry, Thompson, Todd, Towns, Travis, Vaughan, Warner, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--87

A motion to reconsider was tabled.

**\*House Bill No. 809** -- Public Records - As introduced, requires that captured plate data from automatic license plate reader systems be treated as confidential and not be open for inspection by members of the public. - Amends TCA Title 10, Chapter 7, Part 5. by \*Powell, \*Lamberth, \*Cooper, \*Camper, \*Hurt, \*Grills, \*Thompson, \*Ramsey, \*Parkinson, \*Lafferty, \*Faison. (SB699 by \*Lundberg, \*Pody)

On motion, House Bill No. 809 was made to conform with **Senate Bill No. 699**; the Senate Bill was substituted for the House Bill.

Rep. Powell moved that **Senate Bill No. 699** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	86
Noes.....	1
Present and not voting.....	1

Representatives voting aye were: Alexander, Baum, Beck, Boyd, Bricken, Campbell S, Camper, Carr, Carringer, Casada, Cepicky, Chism, Clemmons, Cochran, Cooper, Crawford, Curcio, Darby, Dixie, Faison, Gant, Garrett, Gillespie, Griffey, Grills, Hakeem, Halford, Hall, Harris, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Howell, Hulse, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Mannis, Marsh, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Stewart, Terry, Thompson, Todd, Towns, Vaughan, Warner, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--86

Representatives voting no were: Doggett--1

Representatives present and not voting were: Haston--1

A motion to reconsider was tabled.

**\*House Bill No. 339** -- Alcoholic Beverages - As introduced, authorizes Gaylord Springs Golf Links to seek a caterer license and to grant a franchise for purposes of consumption of alcoholic beverages on the premises; designates the Wildhorse Saloon as a restaurant for purposes of consumption of alcoholic beverages on the premises; authorizes the General Jackson Showboat to sell alcoholic beverages for consumption on the premises of its principal dock. - Amends TCA Title 57, Chapter 4. by \*Jernigan, \*Beck. (SB305 by \*Briggs)

Rep. Jernigan moved that House Bill No. 339 be passed on third and final consideration.

**THURSDAY, APRIL 8, 2021 – TWENTY-FIRST LEGISLATIVE DAY**

Rep. Keisling moved adoption of State Government Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 339 by deleting subdivision (ii) in Section 2 and substituting instead the following:

(ii) A restaurant under this subdivision (30)( ) is not required to meet any gross revenue percentage requirements for food service as a prerequisite to the issuance of a restaurant license to serve liquor by the drink; provided, however, that a restaurant applying for the renewal of its license under this subdivision (30)( ) shall pay the appropriate license fee due under § 57-4-301(b)(1)(W) when the gross revenue from the previous year derived from food sales is fifty percent (50%) or less than the gross revenue from the sale of alcoholic beverages;

On motion, State Government Committee Amendment No. 1 was adopted.

Rep. Jernigan moved that **House Bill No. 339**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 64  
Noes..... 17  
Present and not voting..... 4

Representatives voting aye were: Alexander, Baum, Beck, Boyd, Bricken, Camper, Casada, Clemmons, Cooper, Curcio, Darby, Dixie, Faison, Gant, Garrett, Griffey, Hakeem, Halford, Hall, Harris, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Kumar, Lafferty, Lamar, Lamberth, Littleton, Love, Lynn, Mannis, Marsh, McKenzie, Miller, Mitchell, Moon, Parkinson, Powell, Powers, Ragan, Ramsey, Reedy, Rudder, Shaw, Sherrell, Smith, Stewart, Terry, Thompson, Towns, Warner, Weaver, Whitson, Williams, Wright--64

Representatives voting no were: Calfee, Carringer, Cepicky, Cochran, Crawford, Doggett, Grills, Haston, Keisling, Moody, Russell, Sexton J, Todd, White, Windle, Zachary, Mr. Speaker Sexton--17

Representatives present and not voting were: Campbell S, Gillespie, Leatherwood, Rudd--4

A motion to reconsider was tabled.

**\*House Joint Resolution No. 117** -- General Assembly, Confirmation of Appointment - Dr. Mark Gonyea, State Textbook and Instructional Materials Quality Commission. by \*Lamberth, \*Gant, \*Moody.

On motion, **Senate Joint Resolution No. 163** was substituted for House Joint Resolution No. 117.

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Rep. Moody moved that the House concur in **Senate Joint Resolution No. 163**, which motion prevailed by the following vote:

Ayes ..... 87  
Noes..... 0

Representatives voting aye were: Alexander, Baum, Beck, Boyd, Bricken, Calfee, Campbell S, Camper, Carr, Carringer, Casada, Cepicky, Chism, Clemmons, Cochran, Cooper, Crawford, Curcio, Dixie, Doggett, Faison, Gant, Garrett, Gillespie, Griffey, Grills, Hakeem, Halford, Hall, Harris, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Mannis, Marsh, McKenzie, Miller, Moody, Moon, Parkinson, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Stewart, Terry, Thompson, Todd, Towns, Vaughan, Warner, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--87

A motion to reconsider was tabled.

**\*House Joint Resolution No. 118** -- General Assembly, Confirmation of Appointment - Marcie Rudd, State Textbook and Instructional Materials Quality Commission. by \*Lamberth, \*Gant, \*Moody.

On motion, **Senate Joint Resolution No. 164** was substituted for House Joint Resolution No. 118.

Rep. Moody moved that the House concur in **Senate Joint Resolution No. 164**, which motion prevailed by the following vote:

Ayes ..... 88  
Noes..... 0

Representatives voting aye were: Alexander, Baum, Beck, Boyd, Bricken, Calfee, Campbell S, Camper, Carr, Carringer, Casada, Cepicky, Chism, Clemmons, Cochran, Cooper, Crawford, Curcio, Darby, Doggett, Faison, Gant, Garrett, Gillespie, Griffey, Grills, Hakeem, Halford, Hall, Harris, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Mannis, Marsh, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Stewart, Terry, Thompson, Todd, Towns, Vaughan, Warner, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--88

A motion to reconsider was tabled.

**\*House Joint Resolution No. 119** -- General Assembly, Confirmation of Appointment - Billy Bryan, State Textbook and Instructional Materials Quality Commission. by \*Lamberth, \*Gant, \*Moody, \*Leatherwood.

On motion, **Senate Joint Resolution No. 165** was substituted for House Joint Resolution No. 119.

**THURSDAY, APRIL 8, 2021 – TWENTY-FIRST LEGISLATIVE DAY**

Rep. Moody moved that the House concur in **Senate Joint Resolution No. 165**, which motion prevailed by the following vote:

Ayes ..... 88  
Noes..... 0

Representatives voting aye were: Alexander, Baum, Beck, Boyd, Bricken, Calfee, Campbell S, Camper, Carr, Carringer, Casada, Cepicky, Chism, Clemmons, Cochran, Cooper, Crawford, Curcio, Darby, Doggett, Faison, Gant, Garrett, Gillespie, Griffey, Grills, Hakeem, Halford, Hall, Harris, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Mannis, Marsh, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Stewart, Terry, Thompson, Todd, Towns, Vaughan, Warner, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--88

A motion to reconsider was tabled.

**\*House Bill No. 719** -- Local Government, General - As introduced, requires a county to provide ambulance services as an essential service; authorizes cities to provide ambulance services as an essential service. - Amends TCA Title 7, Chapter 61 and Title 68. by \*Keisling, \*Vaughan, \*Helton, \*Faison, \*Sexton C, \*Crawford, \*Windle, \*Moon, \*Hawk, \*Whitson, \*Sherrell, \*Gant, \*Powers, \*Calfee, \*Doggett, \*Smith, \*Littleton, \*Moody. (SB1597 by \*Bailey, \*Johnson, \*McNally, \*Yager, \*Bowling, \*Powers, \*Walley)

On motion, House Bill No. 719 was made to conform with **Senate Bill No. 1597**; the Senate Bill was substituted for the House Bill.

Rep. Keisling moved that Senate Bill No. 1597 be passed on third and final consideration.

Rep. Crawford moved that Local Government Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Keisling moved that **Senate Bill No. 1597** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 88  
Noes..... 0

Representatives voting aye were: Alexander, Baum, Beck, Boyd, Bricken, Calfee, Campbell S, Camper, Carr, Carringer, Casada, Cepicky, Chism, Clemmons, Cochran, Cooper, Crawford, Curcio, Darby, Doggett, Faison, Gant, Garrett, Gillespie, Griffey, Grills, Hakeem, Halford, Hall, Harris, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Mannis, Marsh, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell,



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Sexton J, Shaw, Sherrell, Smith, Stewart, Terry, Thompson, Todd, Towns, Vaughan, Warner, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--88

A motion to reconsider was tabled.

**\*House Bill No. 874** -- Child Custody and Support - As introduced, permits any interested person to petition a court to object to placement of a child in the custody of the department of children's services with a relative; allows the court to order the department to submit a new permanency plan if the court finds the relative is not fit and willing, the placement does not provide for the safety of the child, or the placement is not in the child's best interest. - Amends TCA Title 36 and Title 37. by \*Terry, \*Smith, \*Helton, \*Hazlewood. (SB1255 by \*Reeves)

Rep. Terry moved that House Bill No. 874 be passed on third and final consideration.

Rep. Jernigan moved adoption of Civil Justice Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 874 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 37-2-403, is amended by adding the following as a new subsection:

(g) The caseworker for a child who has been placed in foster care shall document any objection to the child's placement with a relative that is made by another relative or other interested party.

SECTION 2. Tennessee Code Annotated, Section 37-2-411(a), is amended by adding the following subdivision:

(11) The number of documented objections to foster care placements made pursuant to § 37-2-403(g);

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

On motion, Civil Justice Committee Amendment No. 1 was adopted.

Rep. Terry moved that **House Bill No. 874**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 86  
Noes ..... 0

Representatives voting aye were: Alexander, Baum, Beck, Boyd, Bricken, Calfee, Campbell S, Camper, Carr, Carringer, Casada, Cepicky, Chism, Clemmons, Cochran, Cooper, Crawford, Curcio, Darby, Doggett, Faison, Gant, Garrett, Gillespie, Griffey, Grills, Hakeem, Halford, Hall, Harris, Haston, Hawk, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Howell,

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Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Mannis, Marsh, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Stewart, Terry, Thompson, Todd, Towns, Warner, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--86

A motion to reconsider was tabled.

**\*House Bill No. 766** -- Consumer Protection - As introduced, clarifies that patient certificate and license numbers, instead of patient certificate/license numbers, are prohibited from being included in transmissions by a group health plan or health insurance issuer to designated entities for the all payer claims database. - Amends TCA Title 56, Chapter 2. by \*Lamberth, \*Gant, \*Vaughan, \*Smith, \*Helton, \*Howell. (SB725 by \*Johnson, \*Bailey)

Rep. Vaughan moved that House Bill No. 766 be passed on third and final consideration.

Rep. Kumar moved adoption of Insurance Committee Amendment No. 1 as follows:

### **Amendment No. 1**

AMEND House Bill No. 766 by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Title 56, Chapter 2, is amended by adding the following as a new part:

#### **56-2-1001. Short title.**

This part is known and may be cited as the "Insurance Data Security Law."

#### **56-2-1002. Purpose and intent.**

(a) This part establishes the exclusive standards for data security, licensees' investigations of cybersecurity events, and licensees' notification of cybersecurity events to the commissioner and affected consumers.

(b) This part does not create or imply a private cause of action for a violation of this part, nor does this part limit a private cause of action that otherwise exists.

#### **56-2-1003. Part definitions.**

As used in this part:

(1) "Authorized individual" means an individual known to and screened by the licensee and determined to be necessary and appropriate to have access to the nonpublic information held by the licensee and the licensee's information systems;

(2) "Commissioner" means the commissioner of commerce and insurance, or the commissioner's designee;

(3) "Consumer" means an individual, including an applicant, policyholder, insured, beneficiary, claimant, or certificate holder, who is a resident of this state and whose nonpublic information is in a licensee's possession, custody, or control;

(4) "Cybersecurity event":

(A) Means an event resulting in unauthorized access to, or disruption or misuse of, an information system or nonpublic information stored on an information system; and

(B) Does not include:

(i) The unauthorized acquisition of encrypted nonpublic information if the encryption, process, or key is not also acquired, released, or used without authorization; or

(ii) An event in which the licensee determines that the nonpublic information accessed by an unauthorized person has not been used or released and has been returned or destroyed;

(5) "Department" means the department of commerce and insurance;

(6) "Encrypted" means the transformation of data into a form that results in a low probability that its meaning is discernible without the use of a protective process or key;

(7) "Immediate family" means a spouse; child or grandchild by blood, adoption, or marriage; sibling; parent; or grandparent;

(8) "Information security program" means the administrative, technical, and physical safeguards that a licensee uses to access, collect, distribute, process, protect, store, use, transmit, dispose of, or otherwise handle nonpublic information;

(9) "Information system" means:

(A) A discrete set of electronic information resources organized for the collection, processing, maintenance, use, sharing, dissemination, or disposition of electronic nonpublic information; or

(B) A specialized system, including an industrial or process control system, a telephone switching and private branch exchange system, and an environmental control system;

(10) "Licensee":

(A) Means a person:

(i) Licensed, authorized to operate, or registered pursuant to this title; or

(ii) Required to be licensed, authorized to operate, or registered pursuant to this title; and

(B) Does not include a purchasing group or risk retention group chartered and licensed in another state or a person acting as an assuming insurer and domiciled in another state or jurisdiction;

(11) "Multi-factor authentication" means authentication through verification of at least two (2) of the following types of authentication factors:

(A) Knowledge factors, such as by a password;

(B) Possession factors, such as by a token or text message on a mobile phone; or

(C) Inherence factors, such as by a biometric characteristic;

(12) "Nonpublic information" means information that is not publicly available and that is:

(A) Business-related information of a licensee, in which the tampering with, unauthorized disclosure of, access to, or use of, would cause a material adverse impact to the business, operations, or security of the licensee;

(B) Information concerning a consumer that, because of a name, number, personal mark, or other identifier, can be used to identify that consumer, in combination with the following:

(i) A social security number;

(ii) A driver license number or non-driver identification card number;

(iii) A financial account number or credit or debit card number;

(iv) A security code, access code, or password that would permit access to the consumer's financial accounts; or

(v) Biometric records; or

(C) Information or data, except a person's age or sex, created by or derived from a healthcare provider or a consumer that relates to:

(i) The past, present, or future physical, mental, or behavioral health or health condition of a consumer or a member of a consumer's immediate family;

(ii) The provision of health care to a consumer; or

(iii) Payment for the provision of health care to a consumer;

(13) "Person" means an individual or non-governmental entity, including a sole proprietorship, corporation, limited liability company, partnership, trust, religious organization, association, nonprofit organization described in § 501(c) of the Internal Revenue Code that is exempt from federal income taxation under § 501(a) of the Internal Revenue Code (26 U.S.C. § 501(a)), or another legal entity, whether formed as a for-profit or not-for-profit entity;

(14) "Publicly available information" means information that a licensee has a reasonable basis to believe is lawfully made available to the public. For purposes of this subdivision (14), a licensee has a reasonable basis to believe that information is lawfully made available to the public if the licensee has taken steps reasonably necessary to determine:

(A) That the information is of a type that is available to the public through government records, widely distributed media, or public disclosures required by law; or

(B) That a consumer can direct that the information not be made available to the public and, if so, that the consumer has not made that direction;

(15) "Risk assessment" means the risk assessment that each licensee must conduct under § 56-2-1004(3); and

(16) "Third-party service provider" means a person, not otherwise defined as a licensee, that contracts with a licensee to maintain, process, or store, or is otherwise permitted access to maintain, process, or store, nonpublic information through its provision of services to the licensee.

#### **56-2-1004. Information security program.**

By July 1, 2022, unless provided otherwise in this section:

(1) Commensurate with the size and complexity of the licensee and the nature and scope of its activities, including its use of third-party service providers, and the sensitivity of the nonpublic information used by or in the possession, custody, or control of the licensee, each licensee shall develop, implement, and maintain a comprehensive, written information security program based on the licensee's risk assessment that contains administrative, technical, and physical safeguards for the protection of the nonpublic information and the licensee's information system;

(2) A licensee's information security program must be designed to:

(A) Protect the security and confidentiality of nonpublic information and the security of the information system;

(B) Protect against threats or hazards to the security or integrity of nonpublic information and the information system;

(C) Protect against unauthorized access to or use of nonpublic information and minimize the likelihood of harm to a consumer as a result of unauthorized access or use; and

(D) Define and periodically reevaluate a schedule for retaining nonpublic information and a mechanism for the destruction of nonpublic information when the information is no longer needed;

(3) A licensee shall conduct a risk assessment as follows:

(A) Designate one (1) or more employees, an affiliate, or an outside vendor acting on behalf of the licensee who is responsible for the licensee's information security program;

(B) Identify reasonably foreseeable internal or external threats that could result in unauthorized access, transmission, disclosure, misuse, alteration, or destruction of nonpublic information, including threats to the security of information systems and nonpublic information accessible to or held by third-party service providers;

(C) Assess the likelihood and potential damage of reasonably foreseeable internal or external threats, taking into consideration the sensitivity of the nonpublic information involved;

(D) Assess the sufficiency of policies, procedures, information systems, and other safeguards in place to manage threats throughout the licensee's operations, including in:

(i) Employee training and management;

(ii) Information systems, including network and software design, as well as information classification, governance, processing, storage, transmission, and disposal; and

(iii) Detection, prevention, and response to attacks, intrusions, or other information systems failures; and

(E) Implement information safeguards to manage the threats identified in the licensee's risk assessment and, no less than annually, assess the effectiveness of the safeguards' key controls, systems, and procedures;

(4) Based on a licensee's risk assessment, the licensee shall:

(A) Design an information security program to mitigate the identified risks, commensurate with the size and complexity of the licensee and the nature and scope of its activities, including its use of third-party service providers, and the sensitivity of the nonpublic information used by or in the possession, custody, or control of the licensee;

(B) Determine which of the following security measures are appropriate for the licensee and implement those security measures:

(i) Place access controls on information systems, including controls to authenticate and restrict access to authorized individuals to protect against the unauthorized acquisition of nonpublic information;

(ii) Identify and manage the data, personnel, devices, systems, and facilities that enable the licensee to achieve the licensee's business objectives in accordance with the relative importance of the data, personnel, devices, systems, and facilities to the licensee's business objectives and risk strategy;

(iii) Restrict physical access to nonpublic information to authorized individuals;

(iv) Protect by encryption or other appropriate means nonpublic information being transmitted over an external network and nonpublic information stored on a laptop computer or other portable computing or storage device or media;

(v) Adopt secure development practices for internally developed applications utilized by the licensee and procedures for evaluating, assessing, or testing the

security of externally developed applications utilized by the licensee;

(vi) Modify the licensee's information system in accordance with the licensee's information security program;

(vii) Utilize effective controls that may include multi-factor authentication procedures for authorized individuals accessing nonpublic information;

(viii) Regularly test and monitor systems and procedures to detect actual and attempted attacks on, or intrusions into, information systems;

(ix) Include audit trails within the information security program designed to detect and respond to cybersecurity events and to reconstruct material financial transactions sufficient to support normal operations and obligations of the licensee;

(x) Implement measures to protect against destruction, loss, or damage of nonpublic information due to environmental hazards, such as fire and water damage, technological failures, or other catastrophic events; and

(xi) Develop, implement, and maintain procedures for the secure disposal of nonpublic information in any format;

(C) Include cybersecurity risks in the licensee's enterprise risk management process;

(D) Remain informed regarding emerging threats or vulnerabilities to the licensee and utilize reasonable security measures when sharing information, relative to the nature of the sharing and the type of information being shared; or

(E) Provide personnel with cybersecurity awareness training that is updated as necessary to reflect risks identified by the licensee in the risk assessment;

(5) If the licensee has a board of directors, then the board or an appropriate committee of the board shall, at a minimum:

(A) Require the licensee's executive management or delegates to develop, implement, and maintain the licensee's information security program;

(B) Require the licensee's executive management or delegates to report in writing, at least annually:



(i) The status of the licensee's information security program and compliance with this part; and

(ii) Material matters related to the licensee's information security program, including risk assessment, risk management and control decisions, third-party service provider arrangements, results of testing, cybersecurity events or violations and the licensee's responses thereto, and recommendations for changes to the information security program; and

(C) If the licensee's executive management delegates any of the executive management's responsibilities under this section, then the executive management must oversee the development, implementation, and maintenance of the licensee's information security program prepared by the delegates and must either prepare the report or receive a copy of the report prepared by the delegates pursuant to subdivision (5)(B);

(6) A licensee shall exercise due diligence in selecting a third-party service provider and, by July 1, 2023, require that each third-party service provider implement appropriate administrative, technical, and physical measures to protect and secure the information systems and nonpublic information accessible to, or held by, the third-party service provider;

(7) The licensee shall monitor, evaluate, and adjust, as appropriate, its information security program, consistent with relevant changes in technology, the sensitivity of its nonpublic information, internal or external threats to its information, and its changing business arrangements, such as mergers and acquisitions, alliances and joint ventures, outsourcing arrangements, and changes to information systems;

(8)

(A) As part of a licensee's information security program, a licensee must establish a written incident response plan designed to promptly respond to, and recover from, a cybersecurity event that compromises the confidentiality, integrity, or availability of the licensee's nonpublic information or information systems or the continuing functionality of the licensee's operations;

(B) The incident response plan must address:

(i) The licensee's internal process for responding to a cybersecurity event;

(ii) The goals of the licensee's incident response plan;

(iii) The definition of roles, responsibilities, and levels of decision-making authority relating to a cybersecurity event;

(iv) External and internal communications and information sharing;

(v) The requirements for remediating identified weaknesses in information systems and associated controls;

(vi) Documentation and reporting regarding cybersecurity events and related incident response activities; and

(vii) The evaluation and revision, as necessary, of the incident response plan following a cybersecurity event; and

(9)

(A) Each insurer domiciled in this state shall submit to the commissioner by April 15 of each year written certification that the insurer is in compliance with this section. Each insurer shall maintain for examination by the department all records, schedules, and data supporting the certification for a period of five (5) years from the date of the corresponding certification.

(B) If an insurer identifies areas, systems, or processes requiring material improvement, updating, or redesign, then the insurer must document planned and ongoing remedial efforts to address those areas, systems, or processes, and the documentation must be made available for inspection by the commissioner upon request.

**56-2-1005. Investigation of a cybersecurity event.**

(a) If a licensee learns that a cybersecurity event has or may have occurred, then the licensee or an outside vendor or service provider designated to act on behalf of the licensee shall conduct a prompt investigation.

(b) During the investigation, the licensee or outside vendor or service provider shall, at a minimum:

(1) Determine whether a cybersecurity event has occurred;

(2) Assess the nature and scope of the cybersecurity event;

(3) Identify nonpublic information that may have been involved in the cybersecurity event; and

(4) Take or oversee reasonable measures to restore the security of the information systems compromised in the cybersecurity event in order to prevent further unauthorized acquisition, release, or use of nonpublic information in the licensee's possession, custody, or control.

(c) If the licensee learns that a cybersecurity event has or may have occurred in a system maintained by a third-party service provider, then the licensee shall complete, or confirm and document that the third-party service provider has completed, the actions required by subsection (b).

(d) The licensee shall maintain records concerning all cybersecurity events for a period of at least five (5) years from the date of discovery of the cybersecurity event and shall provide those records to the commissioner upon request.

(e) If the licensee conducts an investigation or review of a potential or suspected cybersecurity event and determines that an event is not a cybersecurity event, then the licensee must reduce that determination to writing and maintain that writing for a period of at least five (5) years from the date of discovery of the event. The licensee shall provide the writing to the commissioner upon request.

**56-2-1006. Notification of a cybersecurity event.**

(a) A licensee shall notify the commissioner as soon as practicable, and in no event more than three (3) business days, following a determination that a cybersecurity event has occurred if:

(1)

(A) The licensee is domiciled in this state, in the case of an insurer, as defined in § 56-6-102, or this state is the licensee's home state, in the case of an insurance producer, as defined in § 56-6-102; and

(B) The cybersecurity event has a reasonable likelihood of materially harming a consumer residing in this state or a material part of the licensee's normal operations; or

(2) The licensee reasonably believes that the nonpublic information of two hundred fifty (250) or more consumers residing in this state is involved in the cybersecurity event and that the cybersecurity event is:

(A) A cybersecurity event of which notice must be provided to a government body, self-regulatory agency, or other supervisory body pursuant to state or federal law; or

(B) A cybersecurity event with a reasonable likelihood of materially harming a consumer residing in this state or a material part of the licensee's normal operations.

(b)

(1) A licensee that must notify the commissioner under subsection (a) shall provide to the commissioner, in a format directed by the commissioner, as much of the following information as is available:

(A) The date of the cybersecurity event;

(B) A description of how the nonpublic information was exposed, lost, stolen, or breached, including the specific roles and responsibilities of third-party service providers with respect to the nonpublic information, if any;

(C) How the cybersecurity event was discovered;

(D) Whether lost, stolen, or breached nonpublic information has been recovered and, if so, how recovery was accomplished;

(E) The identity of the source of the cybersecurity event;

(F) Whether the licensee has filed a police report or notified regulatory, governmental, or law enforcement agencies and, if so, when the notification was provided;

(G) A description of the specific types of nonpublic information or particular data elements acquired without authorization, which may include types of medical information, types of financial information, or types of information allowing for consumer identification;

(H) The period during which the licensee's information system was compromised by the cybersecurity event;

(I) The number of total consumers in this state affected by the cybersecurity event. The licensee shall provide its best estimate of this number of consumers in its initial report to the commissioner and update this estimate with each subsequent report to the commissioner pursuant to this subsection (b);

(J) The results of an internal review and whether the review identified whether automated controls or internal procedures were followed or adhered to;

(K) A description of the efforts to remediate the situation that permitted the cybersecurity event to occur;

(L) A copy of the licensee's privacy policy and a statement outlining the steps that the licensee will take to investigate which consumers were affected by the cybersecurity event and to notify affected consumers;

(M) The name of a person who is both knowledgeable regarding the cybersecurity event and authorized to act on behalf of the licensee to serve as a representative of the licensee for contact from the commissioner; and

(N) A copy of the notice sent to affected consumers, if the notice is required under subsection (c).

(2) Licensees shall continually provide material updates or supplements to the information provided under subdivision (b)(1).

(c) Following a determination that a cybersecurity event has occurred, a licensee shall notify consumers affected, or reasonably believed to have been affected, by the cybersecurity event. The disclosure must be made no later than forty-five (45) days after the determination of the cybersecurity event, unless a longer period of time is required due to the legitimate needs of law enforcement. For purposes of this section, notice may be provided by:

(1) Written notice;

(2) Electronic notice, if the notice provided is consistent with the provisions regarding electronic records and signatures set forth in 15 U.S.C. § 7001, or if the licensee's primary method of communication with the consumer has been by electronic means. Electronic means may include email notification; or

(3) Substitute notice, if the licensee demonstrates that the cost of providing notice would exceed two hundred fifty thousand dollars (\$250,000), the affected class of subject persons to be notified exceeds five hundred thousand (500,000) persons, or the licensee does not have sufficient contact information and the notice consists of the following:

(A) Email notice, when the licensee has an email address for the consumer;

(B) Conspicuous posting of the notice on the licensee's website, if the licensee maintains a website page; and

(C) Notification to major statewide media.

(d)

(1) If a licensee becomes aware of a cybersecurity event in the licensee's information system maintained by a third-party service provider, then the licensee must treat the event as if it occurred in an

information system maintained by the licensee for purposes of subsection (a).

(2) The licensee's time limitations for purposes of providing notification under subsection (a) begin running when the third-party service provider notifies the licensee of the cybersecurity event or the licensee otherwise gains actual knowledge of the cybersecurity event, whichever is sooner.

(3) This part does not limit or abrogate an agreement between a licensee and another party to fulfill the investigation requirements imposed under § 56-2-1005 or the notice requirements imposed under this section.

(e)

(1)

(A) In the case of a cybersecurity event involving nonpublic information that is used by, or in the possession, custody, or control of, a licensee acting as an assuming insurer that does not have a direct contractual relationship with the affected consumers, the assuming insurer shall notify the affected ceding insurers and the commissioner of the licensee's state of domicile within three (3) business days of determining that a cybersecurity event has occurred.

(B) The ceding insurers that have a direct contractual relationship with affected consumers must fulfill the consumer notification requirements required under this section.

(2)

(A) In the case of a cybersecurity event involving nonpublic information in the possession, custody, or control of a third-party service provider of a licensee that is an assuming insurer, the assuming insurer shall notify the affected ceding insurers and the commissioner of the licensee's state of domicile within three (3) business days of the third-party service provider notifying the licensee of the cybersecurity event or the licensee otherwise gaining actual knowledge of the cybersecurity event, whichever is sooner.

(B) The ceding insurers that have a direct contractual relationship with affected consumers shall fulfill the consumer notification requirements required under this section.

(3) Except as provided in this subsection (e), a licensee acting as assuming insurer has no other notice obligations relating to a cybersecurity event under this section.

(f) In the case of a cybersecurity event involving nonpublic information in the possession, custody, or control of a licensee that is an insurer, or the third-party service provider for which a consumer accessed the insurer's services through an independent insurance producer, and for which consumer notice is required under this part, the insurer shall notify the producers of record of all affected consumers, if known, as soon as practicable, but not later than when such notice is provided to the affected consumers. The insurer is excused from this obligation in those instances in which the insurer does not have the current producer of record information for an individual consumer.

**56-2-1007. Authority of commissioner.**

(a) In addition to authority under chapter 1, part 4 of this title, the commissioner has the authority to examine and investigate a licensee to determine whether the licensee has been or is engaged in conduct in violation of this part. Those examinations or investigations must be conducted in accordance with chapter 1, part 4 of this title.

(b) If the commissioner has reason to believe that a licensee has been or is engaged in conduct in this state that violates this part, then the commissioner may take necessary or appropriate action to enforce this part in accordance with part 3 of this chapter.

**56-2-1008. Confidentiality.**

(a) Documents, materials, or information in the department's control or possession that are furnished by a licensee, or an employee or agent acting on behalf of the licensee, pursuant to § 56-2-1004(9) or § 56-2-1006(b), or that are obtained by the commissioner in connection with an investigation or examination pursuant to § 56-2-1007:

(1) Are confidential and not open for inspection by members of the public under title 10, chapter 7 or § 56-1-602; and

(2) Are not subject to subpoena or discovery in a private civil action, except that the commissioner may use the documents, materials, or information in the furtherance of regulatory or legal action by the commissioner.

(b) The commissioner, or a person who received documents, materials, or information while acting under the authority of the commissioner, is not permitted or required to testify in a private civil action concerning documents, materials, or information made confidential under subsection (a).

(c) Notwithstanding subsection (a), to assist in the commissioner's duties under this part, the commissioner may:

(1) Share documents, materials, or information made confidential under subsection (a) with other state, federal, or international regulatory agencies or law enforcement authorities, the national association of insurance commissioners or its affiliates or subsidiaries, or a third-party consultant or vendor of the department, as long as the recipient agrees in

writing to maintain the confidential nature of the documents, materials, or information;

(2) Receive documents, materials, or information, including otherwise confidential documents, materials, or information, from the national association of insurance commissioners or its affiliates or subsidiaries, or from regulatory or law enforcement officials of other foreign or domestic jurisdictions, and the commissioner must maintain as confidential any document, material, or information received with notice or the understanding that it is confidential under the laws of the source jurisdiction; and

(3) Enter into agreements governing sharing and use of documents, materials, or information consistent with this subsection (c).

(d) A waiver of an applicable privilege or confidentiality does not occur as a result of the disclosure of documents, materials, or information by or to the commissioner under subsection (c).

(e) This part does not prohibit the commissioner from releasing final, adjudicated actions open to public inspection under title 10, chapter 7 or § 56-1-602 to a database or other clearinghouse service maintained by the national association of insurance commissioners or its affiliates or subsidiaries.

**56-2-1009. Exceptions.**

(a)

(1) This part does not apply to:

(A) A licensee who employs less than twenty-five (25) individuals, regardless of whether the individuals are employees or independent contractors;

(B) A licensee with less than five million dollars (\$5,000,000) in gross annual revenue; or

(C) A licensee with less than ten million dollars (\$10,000,000) in year-end total assets.

(2) A licensee subject to and governed by the privacy, security, and breach notification rules issued by the United States department of health and human services, 45 CFR Parts 160 and 164, established pursuant to the federal Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. § 1320d et seq.), and the federal Health Information Technology for Economic and Clinical Health (HITECH) Act (42 U.S.C. § 300jj et seq. and 42 U.S.C. § 17901 et seq.), and that maintains nonpublic information in the same manner as protected health information meets the requirements of §§ 56-2-1004 and 56-2-1006(c) if the licensee is compliant with, and submits a written statement certifying its compliance with, the federal Health Insurance Portability and



Accountability Act of 1996 or the federal Health Information Technology for Economic and Clinical Health.

(3) A licensee subject to Title V of the federal Gramm-Leach-Bliley Act of 1999 (15 U.S.C. §§ 6801-6809 and 6821-6827) meets the requirements of § 56-2-1006(c) if the licensee is compliant with, and submits a written statement certifying its compliance with, Title V of the federal Gramm-Leach-Bliley Act of 1999.

(4) An employee, agent, representative, or designee of a licensee, who is also a licensee, is exempt from § 56-2-1004 if the activities of the employee, agent, representative, or designee are covered by the other licensee's information security program.

(b) If a licensee ceases to qualify for an exception under subsection (a), then the licensee has one hundred eighty (180) days from the time the licensee no longer qualifies for the exception to comply with this part.

**56-2-1010. Penalties.**

The commissioner may seek penalties under § 56-2-305 for a violation of this part.

**56-2-1011. Rules.**

The commissioner may promulgate rules to effectuate this part. The rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 2. If any provision of this act or the application of any provision of this act to any person or circumstance is held invalid, then the invalidity does not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to that end, the provisions of this act are severable.

SECTION 3. The headings to sections in this act are for reference purposes only and do not constitute a part of the law enacted by this act. However, the Tennessee Code Commission is requested to include the headings in any compilation or publication containing this act.

SECTION 4. For the purpose of promulgating rules, this act takes effect upon becoming a law, the public welfare requiring it. For all other purposes, this act takes effect July 1, 2021, the public welfare requiring it, and applies to breaches that occur or are discovered on or after that date.

On motion, Insurance Committee Amendment No. 1 was adopted.

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Rep. Vaughan moved that **House Bill No. 766**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	87
Noes.....	0
Present and not voting.....	1

Representatives voting aye were: Alexander, Baum, Beck, Boyd, Bricken, Calfee, Campbell S, Camper, Carr, Carringer, Casada, Cepicky, Chism, Clemmons, Cochran, Cooper, Crawford, Curcio, Darby, Doggett, Faison, Garrett, Gillespie, Griffey, Grills, Hakeem, Halford, Hall, Harris, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Mannis, Marsh, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Stewart, Terry, Thompson, Todd, Towns, Travis, Vaughan, Warner, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--87

Representatives present and not voting were: Gant--1

A motion to reconsider was tabled.

**\*House Bill No. 742** -- Wine & Wineries - As introduced, prohibits licensure of in-state or out-of-state wine fulfillment houses; makes various other changes regarding the operation of winery direct shippers. - Amends TCA Title 57. by \*Lamberth. (SB705 by \*Walley)

Rep. Lamberth moved that House Bill No. 742 be passed on third and final consideration.

Rep. Keisling requested that State Government Committee Amendment No. 1 be placed at the heel of the amendments.

Rep. Hazlewood moved adoption of Finance, Ways, and Means Committee Amendment No. 1, as House Amendment No. 2 as follows:

**Amendment No. 2**

AMEND House Bill No. 742 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 57-3-217(b), is amended by deleting subsection (b) and substituting instead the following:

(b) A winery direct shipper, meeting the requirements of this section, may make sales and delivery of wine, as defined in § 57-3-101, by common carrier to the citizens of this state over the age of twenty-one (21) who have purchased the wine directly from the winery direct shipper, subject to the limitations and requirements imposed by this section; provided, that a winery direct shipper may only ship wine sold under a brand name owned by or licensed to the winery or farm winery, which is either:

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(1) Produced by the winery or farm winery, including manufactured in a manner authorized pursuant to § 57-3-207;

(2) Produced exclusively for the winery or farm winery under an existing written contract with the winery or farm winery; or

(3) Produced and bottled exclusively for the winery or farm winery.

SECTION 2. Tennessee Code Annotated, Section 57-3-217(c), is amended by deleting the language "issuance of a winery direct shipper's license" and substituting instead the language "issuance or renewal of a winery direct shipper's license".

SECTION 3. Tennessee Code Annotated, Section 57-3-217, is amended by adding the following new subsections:

(i) Notwithstanding any law to the contrary, a fulfillment house, as defined in Section 4 of this act, is not eligible for licensure or renewal of a winery direct shipper's license.

(j) A winery direct shipper licensee shall maintain records for a minimum of three (3) years from the shipment date, which shall include:

(1) The name, address, and license number of the fulfillment house used, if any;

(2) The name of the common carrier, if no fulfillment house is used;

(3) The date of each shipment;

(4) The carrier tracking number;

(5) The quantity, by weight or other means, the sales price, and product type of wine shipped; and

(6) The name and address of the recipient.

(k) A winery direct shipper licensee shall submit the records maintained pursuant to subsection (j) as a report to the commission on a quarterly basis in the manner, form, and format prescribed by the commission.

(l) A winery direct shipper may only ship, or have shipped, wine from either their licensed winery direct shipper location or a licensed fulfillment house location.

(m) Two (2) or more licensed winery direct shippers may make sales and shipments of wine pursuant to this section in conjunction and coordination with each other; provided, that if the wine products of more than one (1) licensed winery direct shipper are included in the same shipment, then such products may only be shipped to a resident of this state from a fulfillment house licensed

pursuant to Section 4. Each winery participating in a sale made pursuant to this subsection (m) must have a winery direct shipper license.

(n) The requirements of this section, including subsections (d) and (e), apply to winery direct shippers whether the wine is shipped from the winery direct shipper or a licensed fulfillment house.

SECTION 4. Tennessee Code Annotated, Title 57, Chapter 3, Part 4, is amended by adding the following new section:

(a)

(1) As used in this section, "fulfillment house" means an in- or out-of-state entity, other than a winery, or farm winery, wholesaler, non-resident seller, or common carrier, that takes physical possession of a winery direct shipper's wine and handles logistics, including warehousing, packaging, order fulfillment, or shipping services on behalf of a winery direct shipper licensee for products that the winery direct shipper is eligible to ship to residents in this state.

(2) The winery direct shipper and the fulfillment house may transport the wine to the fulfillment house. It is lawful for a common carrier to transport the wine to a fulfillment house. Section 57-3-207(i) is not applicable to wine transported to a fulfillment house.

(b) A person, firm, limited liability company, or corporation may apply to the commission to obtain a fulfillment house license where the fulfillment house is involved in the shipping of wine to residents of this state and pay an application fee of three hundred dollars (\$300) and an annual license fee of three hundred dollars (\$300) and an additional fifty dollars (\$50.00) for each separate location where it takes physical possession of wine before making or causing a shipment into, within, or outside of this state. A fulfillment house license must be renewed annually. A fulfillment house licensee may only provide services related to shipment of wine produced by and belonging to a winery direct shipper licensee into or within this state according to the requirements of this section. A fulfillment house licensee shall not provide services related to shipment of wine into or within this state to a retailer licensed under this title, an entity licensed as an out-of-state retailer, or a person or entity that is not a winery direct shipper licensed pursuant to § 57-3-217. A fulfillment house license granted pursuant to this section authorizes the licensee to only ship wine into or within this state for winery direct shippers licensed pursuant to § 57-3-217. Any other activity into or within this state is unlawful.

(c) A fulfillment house license applicant shall provide the following information as part of its application:

(1) All locations where it takes physical possession of wine for shipment into or within this state;

(2) An executed consent to jurisdiction and venue of all actions brought before the commission, a state agency, or the courts of this state,

such that all hearings, appeals, and other matters relating to the license of the fulfillment house must be held in this state;

(3) A written acknowledgement that it will contract only with common carriers that agree that the delivery of wine in this state will be by face-to-face delivery, that deliveries will only be made to individuals who are at least twenty-one (21) years of age, and that the recipient must sign upon receipt of the wine; and

(4) Any other provisions as required by the commission.

(d) A fulfillment house licensee shall ensure that all containers of wine shipped directly to an individual in this state are labeled with the conspicuous words "SIGNATURE OF PERSON AGE 21 OR OLDER REQUIRED FOR DELIVERY", and the name, address, and license number of the fulfillment house licensee.

(e) All containers of wine shipped directly to a resident of this state must be shipped using a common carrier. A fulfillment house licensee shall not ship wine into or within this state from, or on behalf of:

(1) Unlicensed direct shippers, either in-state or out-of-state;

(2) A retailer licensed under this title;

(3) An out-of-state retailer; or

(4) A person or entity that is not a winery direct shipper licensed pursuant to § 57-3-217.

(f) A fulfillment house licensee shall verify that each winery direct shipper is licensed to ship to consumers in this state before making a shipment, and failure to verify proper licensure subjects a fulfillment house licensee to a fine, suspension, or revocation in accordance with subsection (h).

(g) A fulfillment house licensee shall maintain records for a minimum of three (3) years from the shipment date, which must include:

(1) The name, address, and license number of the licensed winery direct shipper;

(2) The name of the common carrier;

(3) The date of each shipment;

(4) The carrier tracking number;

(5) The quantity, by weight or other means, and product type of wine shipped; and

(6) The name and address of the recipient.

(h) A fulfillment house licensee shall submit these records as a report to the commission quarterly in the manner, form, and format prescribed by the commission. Any fulfillment house licensee found in violation of this section is subject to fines, suspension, or revocation of its license in accordance with this title and shall reimburse the commission for all costs incurred in connection with the investigation and administrative action, including the out-of-pocket costs and reasonable personnel costs. The commission is empowered to make such regulations, investigations, and audits as it may deem necessary for enforcing and preventing violations of this section.

(i) The requirements for a common carrier under § 57-3-217 equally apply to wine obtained from a fulfillment house licensee on behalf of a winery direct shipper to the same extent as if the common carrier obtained the wine from the winery direct shipper licensee.

SECTION 5. Sections 1 and 2 of this act take effect upon becoming a law, the public welfare requiring it, and apply to a winery direct shipper's license issued or renewed on or after the effective date of this act. Sections 3 and 4 of this act take effect on January 1, 2022, the public welfare requiring it.

On motion, Finance, Ways, and Means Committee Amendment No. 1, as House Amendment No. 2 was adopted.

Rep. Keisling moved that State Government Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Lamberth moved that **House Bill No. 742**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	78
Noes.....	7
Present and not voting.....	2

Representatives voting aye were: Alexander, Baum, Beck, Boyd, Bricken, Calfee, Campbell S, Camper, Carr, Carringer, Casada, Chism, Cochran, Cooper, Crawford, Curcio, Darby, Faison, Gant, Garrett, Gillespie, Griffey, Hakeem, Halford, Hall, Harris, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Holsclaw, Hulsey, Hurt, Jernigan, Johnson C, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Mannis, Marsh, McKenzie, Miller, Mitchell, Moon, Parkinson, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Shaw, Sherrell, Smith, Terry, Thompson, Todd, Towns, Travis, Vaughan, Warner, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--78

Representatives voting no were: Cepicky, Clemmons, Doggett, Grills, Johnson G, Sexton J, Stewart--7

Representatives present and not voting were: Haston, Howell--2

A motion to reconsider was tabled.

**House Bill No. 1064** -- Landlord and Tenant - As introduced, specifies that, unless certain circumstances are met, a landlord is not liable for negligence in renting, leasing, or otherwise extending housing opportunities to a person who has been previously convicted of a criminal offense based solely on the person's criminal conviction and evidence of the prior criminal conviction is not admissible. - Amends TCA Title 4, Chapter 3, Part 12; Title 40; Title 41, Chapter 4; Title 41, Chapter 8; Title 49, Chapter 11; Title 49, Chapter 8; Title 55, Chapter 50 and Section 62-76-104. by \*Curcio, \*Garrett, \*Faison, \*White, \*Thompson, \*Parkinson, \*Hicks T, \*Hazlewood, \*Helton, \*Chism, \*Mannis, \*Camper. (\*SB803 by \*Yager)

Rep. Curcio moved that House Bill No. 1064 be passed on third and final consideration.

Rep. Vaughan moved adoption of Commerce Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 1064 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 40, Chapter 29, Part 1, is amended by adding the following as a new section:

(a) In any proceeding on a claim against a landlord for negligence in renting, leasing, or otherwise extending housing opportunities to a person who has been previously convicted of a criminal offense, a landlord is not liable based solely upon the fact that the person has been previously convicted of a criminal offense.

(b) In a cause of action against a landlord for negligence in renting, leasing, or otherwise extending housing opportunities to a person who has been previously convicted of a criminal offense, evidence that the person has been previously convicted of a criminal offense is not admissible.

(c) Subsections (a) and (b) do not apply when:

(1) The landlord had actual knowledge of the person's prior conviction for a violent offense, as defined in § 40-35-120(b) or a violent sexual offense, as defined in § 40-39-202; or

(2) The landlord, having actual knowledge of the person's commission of a violent offense, as defined in § 40-35-120(b), or a violent sexual offense, as defined in § 40-39-202, after beginning of the person's tenancy, was willful in allowing the person to continue to rent, lease, or otherwise use housing opportunities.

(d) This section does not create a cause of action or expand an existing cause of action.

(e) The provisions of § 1-3-119 relative to implied rights of action apply to this section.

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(f) As used in this section, "landlord" means the owner, lessor, or sublessor of the dwelling unit or the building of which the unit is a part, the manager of the premises, and employees and agents of the owner, lessor, or sublessor.

SECTION 2. This act takes effect July 1, 2021, the public welfare requiring it.

On motion, Commerce Committee Amendment No. 1 was adopted.

Rep. Curcio moved that **House Bill No. 1064**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	71
Noes.....	10
Present and not voting.....	3

Representatives voting aye were: Alexander, Baum, Beck, Boyd, Bricken, Calfee, Camper, Carr, Carringer, Chism, Cochran, Cooper, Curcio, Darby, Dixie, Faison, Gant, Garrett, Gillespie, Hakeem, Halford, Hall, Harris, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Howell, Hulse, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lamar, Lamberth, Leatherwood, Littleton, Lynn, Mannis, Marsh, McKenzie, Miller, Mitchell, Moon, Parkinson, Powers, Ragan, Ramsey, Reedy, Rudder, Russell, Shaw, Smith, Terry, Thompson, Todd, Travis, Vaughan, Warner, Weaver, White, Whitson, Williams, Wright, Zachary--71

Representatives voting no were: Cepicky, Clemmons, Crawford, Doggett, Griffey, Grills, Rudd, Sexton J, Stewart, Towns--10

Representatives present and not voting were: Campbell S, Sherrell, Windle--3

A motion to reconsider was tabled.

**REQUEST TO CHANGE VOTE**

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "present and not voting" to "aye" on **House Bill No. 1064** and have this statement entered in the Journal: Rep. Campbell.

**REGULAR CALENDAR, CONTINUED**

**\*House Bill No. 568** -- Administrative Procedure (UAPA) - As introduced, limits an administrative agency's authority to promulgate rules without a public hearing. - Amends TCA Title 4, Chapter 5. by \*Ragan, \*Griffey, \*Smith, \*Helton, \*Howell. (SB1081 by \*Roberts)

Rep. Ragan moved that House Bill No. 568 be passed on third and final consideration.

Rep. Reedy moved adoption of Government Operations Committee Amendment No. 1 as follows:



**Amendment No. 1**

AMEND House Bill No. 568 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 4-5-201(c), is amended by deleting the language "proposed rule" and substituting instead the language "rule to be proposed".

SECTION 2. Tennessee Code Annotated, Section 4-5-202(a), is amended by deleting the subsection and substituting instead the following:

(a) An agency shall precede all its rulemaking with notice and a public hearing unless:

(1) The rule is adopted as an emergency rule; or

(2) The rule is promulgated as a proposed rule:

(A) As used in this section, "proposed rule" and "proposed written rule":

(i) Mean a rule that:

(a) Involves minor, nonsubstantive modifications, including, but not limited to, clerical updates;

(b) Is approved by the joint government operations committee of the house of representatives and the senate pursuant to subdivision (a)(2)(B)(ii);

(c) Repeals an existing rule; or

(d) Eliminates or reduces a fee contained in an existing rule;

(ii) Does not include a rule that:

(a) May affect the rights of persons;

(b) May mandate conduct or impose increased fees, penalties, or fines; or

(c) A reasonable person might otherwise deem to be significant.

(B)

(i) Any rule promulgated as a proposed rule must be posted to the administrative register website within the secretary of state's website within seven (7) days of receipt, together with a statement that the agency will adopt the proposed rule without a public hearing unless within ninety (90) days after filing of the proposed rule with the secretary of state, a petition for a public hearing on the proposed rule is filed by ten (10) persons who will be affected by the rule, an association of ten (10) or more members, a municipality, or by a majority vote of any standing committee of the general assembly. If an agency receives such a petition, the agency shall not proceed with the proposed rulemaking until the agency has given notice and held a hearing as provided in this section. The agency shall forward the petition to the secretary of state. The secretary of state is not required to compile all filings of the preceding month into one (1) document.

(ii) An agency may petition the joint government operations committee of the house of representatives and the senate to authorize a rule to be a proposed rule when the agency has given proper notice and held a public hearing pursuant to this part, but the rule is withdrawn to make nonsubstantive modifications to the rule prior to the review of the rule by the joint government operations committee.

SECTION 3. Tennessee Code Annotated, Section 4-5-203(a)(2), is amended by deleting the language "proposed rulemaking" and substituting instead the language "rule being proposed".

SECTION 4. Tennessee Code Annotated, Section 4-5-203(c)(2)(A), is amended by deleting the language "proposed rule" wherever it appears and substituting instead the language "rule being proposed".

SECTION 5. Tennessee Code Annotated, Section 4-5-203(d), is amended by deleting the language "proposed rulemaking" and substituting instead the language "a rule being proposed".

SECTION 6. Tennessee Code Annotated, Section 4-5-204(c)(1), is amended by deleting the language "proposed rule" and substituting instead the language "rule being proposed".

SECTION 7. Tennessee Code Annotated, Section 4-5-205(a), is amended by deleting the language "proposed rules" and substituting instead the language "rules being proposed".

SECTION 8. Tennessee Code Annotated, Section 4-5-222(a)(1)(C), is amended by deleting the language "proposed rule" and substituting instead the language "rule being proposed".

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SECTION 9. Tennessee Code Annotated, Section 4-5-226(b)(2), is amended by deleting the first sentence of the subdivision and substituting instead the following:

Rules promulgated by a department or agency of state government whose functions, duties, or responsibilities are transferred to another department or agency remain in full force and effect, and thereafter are administered and enforced by the agency or department assuming responsibility for those functions, duties, or responsibilities as rules of that agency or department, and all rules pending with the attorney general and reporter or secretary of state, unless withdrawn, must continue that status as rules being proposed until becoming effective as rules of the agency assuming the functions, duties, or responsibilities.

SECTION 10. Tennessee Code Annotated, Section 4-5-226(i)(1)(I), is amended by deleting the language "rule proposed" and substituting instead the language "rule being proposed".

SECTION 11. Tennessee Code Annotated, Section 4-5-402(a), is amended by deleting "of whether a proposed rule or rule" and substituting instead "as to if a rule".

SECTION 12. Tennessee Code Annotated, Section 4-5-402(b), is amended by deleting "of the proposed rule" and substituting instead "the rule being proposed may have".

SECTION 13. Tennessee Code Annotated, Section 4-5-402(b)(6), is amended by deleting "proposed rule" and substituting instead "rule being proposed".

SECTION 14. Tennessee Code Annotated, Section 4-5-403, is amended by deleting "proposed rule" wherever it appears and substituting instead "rule being proposed".

SECTION 15. Tennessee Code Annotated, Section 4-5-216, is amended by designating the existing language as subsection (a) and adding the following as a new subsection:

(b) A person affected or potentially affected by a rule may file suit directly to the chancery court in the county where the person resides to enjoin enforcement of a rule when the rule is not adopted in compliance with this chapter.

SECTION 16. The department of state shall promulgate rules, when necessary, to effectuate the purposes of this act.

SECTION 17. This act takes effect July 1, 2021, the public welfare requiring it.

On motion, Government Operations Committee Amendment No. 1 was adopted.

**THURSDAY, APRIL 8, 2021 – TWENTY-FIRST LEGISLATIVE DAY**

Rep. Ragan moved that **House Bill No. 568**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 85  
Noes ..... 3

Representatives voting aye were: Alexander, Baum, Beck, Bricken, Calfee, Campbell S, Camper, Carr, Carringer, Cepicky, Chism, Cochran, Cooper, Crawford, Curcio, Darby, Dixie, Doggett, Faison, Gant, Garrett, Gillespie, Griffey, Grills, Hakeem, Halford, Hall, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Mannis, Marsh, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Stewart, Terry, Thompson, Todd, Towns, Travis, Vaughan, Warner, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--85

Representatives voting no were: Clemmons, Harris, Johnson G--3

A motion to reconsider was tabled.

**\*House Bill No. 570** -- Administrative Procedure (UAPA) - As introduced, eliminates the restriction that the government operations committees of the house of representatives and senate may only stay the running of a rule for a period not to exceed 75 days. - Amends TCA Section 4-5-215. by \*Ragan, \*Moon, \*Wright, \*Griffey, \*Terry, \*Smith, \*Howell, \*Moody. (SB1086 by \*Roberts)

Rep. Ragan moved that House Bill No. 570 be passed on third and final consideration.

Rep. Reedy moved adoption of Government Operations Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 570 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 4-5-215(b), is amended by deleting the language "for a period of time not to exceed seventy-five (75) days" and substituting the language "for a period of time that does not extend past the fifth legislative day of the subsequent year from when the rule is filed with the office of the secretary of state if either committee determines a stay is necessary to prevent irreparable harm to a person or property".

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.

On motion, Government Operations Committee Amendment No. 1 was adopted.

**THURSDAY, APRIL 8, 2021 – TWENTY-FIRST LEGISLATIVE DAY**

Rep. Ragan moved that **House Bill No. 570**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 81  
Noes ..... 5

Representatives voting aye were: Alexander, Baum, Bricken, Calfee, Campbell S, Camper, Carr, Carringer, Cepicky, Chism, Cochran, Cooper, Crawford, Curcio, Darby, Doggett, Faison, Gant, Garrett, Gillespie, Griffey, Grills, Hakeem, Halford, Hall, Harris, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Mannis, Marsh, McKenzie, Miller, Moody, Moon, Parkinson, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Terry, Thompson, Todd, Towns, Travis, Vaughan, Warner, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--81

Representatives voting no were: Beck, Clemmons, Johnson G, Mitchell, Stewart--5

A motion to reconsider was tabled.

**House Bill No. 620** -- Insurance, Health, Accident - As introduced, includes as a qualified site for the provision of behavioral health services provided via telehealth, a patient's home or remote location of choice; includes audio-only conversation within the definition of "telehealth" when providing behavioral health services if certain means of communication are unavailable. - Amends TCA Title 56, Chapter 7. by \*Rudder, \*Sparks, \*Helton, \*Ramsey, \*White, \*Howell, \*Smith, \*Powers, \*Hazlewood, \*Curcio, \*Terry, \*Cepicky. (\*SB429 by \*Gardenhire, \*Walley, \*Yager)

On motion, House Bill No. 620 was made to conform with **Senate Bill No. 429**; the Senate Bill was substituted for the House Bill.

Rep. Rudder moved that Senate Bill No. 429 be passed on third and final consideration.

Rep. Kumar moved that Insurance Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Rudder moved that **Senate Bill No. 429** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 86  
Noes ..... 0

Representatives voting aye were: Alexander, Baum, Beck, Boyd, Bricken, Calfee, Campbell S, Camper, Carr, Carringer, Cepicky, Chism, Clemmons, Cochran, Cooper, Crawford, Darby, Dixie, Doggett, Faison, Gant, Garrett, Gillespie, Griffey, Grills, Hakeem, Halford, Harris, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Mannis, Marsh, McKenzie, Miller, Mitchell, Moody, Moon, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Stewart,

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Terry, Thompson, Todd, Towns, Travis, Vaughan, Warner, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--86

A motion to reconsider was tabled.

**House Bill No. 659** -- Comptroller, State - As introduced, deletes references to the office of local government within the office of the comptroller of the treasury and clarifies that the comptroller performs the duties of the former office of local government. - Amends TCA Title 2; Title 3; Title 4; Title 8 and Title 67. by \*Campbell S. (\*SB541 by \*Walley)

On motion, House Bill No. 659 was made to conform with **Senate Bill No. 541**; the Senate Bill was substituted for the House Bill.

Rep. Campbell moved that **Senate Bill No. 541** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 85  
Noes..... 0

Representatives voting aye were: Alexander, Baum, Beck, Boyd, Bricken, Campbell S, Camper, Carr, Carringer, Casada, Cepicky, Chism, Clemmons, Cochran, Cooper, Crawford, Darby, Dixie, Doggett, Faison, Gant, Garrett, Gillespie, Griffey, Grills, Hakeem, Halford, Hall, Harris, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Mannis, Marsh, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Stewart, Terry, Thompson, Todd, Towns, Warner, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--85

A motion to reconsider was tabled.

**\*House Bill No. 1155** -- Motor Vehicles - As introduced, requires persons engaged in the business of buying or selling used automobile parts to keep permanent records of such transactions involving unattached catalytic converters; requires persons engaged in the business of buying or selling unattached catalytic converters as a single item and not as part of a scrapped motor vehicle to register with the chief of police and sheriff of each city and county in which the activity is carried on. - Amends TCA Title 38; Title 55 and Title 62. by \*Gillespie, \*Towns, \*Powell. (SB1612 by \*Bailey, \*Jackson, \*Powers)

On motion, House Bill No. 1155 was made to conform with **Senate Bill No. 1612**; the Senate Bill was substituted for the House Bill.

Rep. Gillespie moved that Senate Bill No. 1612 be passed on third and final consideration.

Rep. Howell moved that Transportation Committee Amendment No. 1 be withdrawn, which motion prevailed.

## THURSDAY, APRIL 8, 2021 – TWENTY-FIRST LEGISLATIVE DAY

Rep. Gillespie moved that **Senate Bill No. 1612** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 87  
Noes ..... 0

Representatives voting aye were: Alexander, Baum, Beck, Boyd, Bricken, Campbell S, Camper, Carr, Carringer, Casada, Cepicky, Chism, Clemmons, Cochran, Cooper, Crawford, Darby, Dixie, Doggett, Faison, Gant, Garrett, Gillespie, Griffey, Grills, Hakeem, Halford, Hall, Harris, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Mannis, Marsh, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Stewart, Terry, Thompson, Todd, Towns, Vaughan, Warner, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--87

A motion to reconsider was tabled.

**\*House Bill No. 705** -- Tobacco, Tobacco Products - As introduced, adds use of vapor products to the acts that are prohibited in enclosed public places under the Non-Smoker Protection Act. - Amends TCA Title 39, Chapter 17. by \*Russell, \*Gant, \*White, \*Sherrell. (SB1047 by \*Southerland)

Further consideration of House Bill No. 705, previously considered on April 1, 2021, at which time it was reset for today's Calendar.

### BILL RE-REFERRED

Rep. Russell moved that **House Bill No. 705** be re-referred to the Calendar and Rules Committee, which motion prevailed.

### REGULAR CALENDAR, CONTINUED

**\*House Joint Resolution No. 350** -- Memorials, Recognition - Candace Owens. by \*Lamberth, \*Faison, \*Gant, \*Sexton C, \*Garrett, \*Terry, \*Moody, \*Keisling, \*Hurt, \*Littleton, \*Williams, \*Weaver, \*Smith, \*Lafferty, \*Sexton J, \*Hall, \*Grills, \*Eldridge, \*Wright, \*Cepicky, \*Doggett, \*Hicks T, \*Leatherwood, \*Helton.

Further consideration of House Joint Resolution No. 350, previously considered on March 29, 2021 and April 5, 2021, at which time it was reset for today's Regular Calendar.

Rep. Lamberth moved adoption of House Joint Resolution No. 350.

**THURSDAY, APRIL 8, 2021 – TWENTY-FIRST LEGISLATIVE DAY**

Rep. Lamberth moved that the House consider House Amendment No. 1 pursuant to **Rule No. 60 (B)**, which motion prevailed by the following vote:

Ayes ..... 70  
Noes ..... 18

Representatives voting aye were: Alexander, Baum, Boyd, Bricken, Calfee, Campbell S, Carr, Carringer, Casada, Cepicky, Cochran, Cooper, Crawford, Darby, Doggett, Faison, Gant, Garrett, Gillespie, Griffey, Grills, Halford, Hall, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Johnson C, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Lynn, Mannis, Marsh, Miller, Moody, Moon, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Terry, Todd, Travis, Vaughan, Warner, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--70

Representatives voting no were: Beck, Camper, Chism, Clemmons, Dixie, Hakeem, Harris, Hodges, Johnson G, Lamar, Love, McKenzie, Mitchell, Parkinson, Powell, Stewart, Thompson, Towns--18

Rep. Lamberth moved adoption of House Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Joint Resolution No. 350 by deleting in its entirety all language following the caption of the introduced resolution and substituting instead the following:

WHEREAS, the members of this General Assembly take great pleasure in welcoming to Tennessee yet another committed conservative and great American; and

WHEREAS, Candace Owens is an astute and highly popular American conservative author, political commentator, and activist; and

WHEREAS, Mrs. Owens has earned the admiration and respect of millions of Americans through her activism in support of President Trump as a black woman and her perceptive criticism of creeping socialism and leftist political tyranny; and

WHEREAS, she worked for the conservative advocacy group Turning Point USA between 2017 and 2019 as its communications director; and

WHEREAS, Mrs. Owens hosted her weekly podcast, *The Candace Owens Show*, with PragerU between 2019 and 2021; and

WHEREAS, in 2021, she joined *The Daily Wire*, for which she hosts *Candace*, a late-night political talk show that features political and cultural issues of the day with her signature blend of intelligence and humor; *Candace* features celebrity interviews and panel discussions with the world's most influential thought leaders and cultural mavens; and

WHEREAS, like many intelligent conservatives, Candace Owens has relocated from Washington, D.C., to the State of Tennessee, which will happily reap the positive economic benefits resulting from the depopulation of our so-called elite liberal cities; and



**THURSDAY, APRIL 8, 2021 – TWENTY-FIRST LEGISLATIVE DAY**

WHEREAS, Washington, D.C.'s loss is most certainly Tennessee's gain, as Mrs. Owens will not only contribute significantly to our economy but also add to our already burgeoning pool of creative talent; and

WHEREAS, in response to the question, "Why is it do you think that so many conservative media outlets and people are moving to Nashville and Middle Tennessee?" Mrs. Owens responded:

"Because they're being chased out. The policies of New York and Los Angeles are no longer desirable. It's not a place to raise a family. Look at the crime rates that are skyrocketing. What you're really seeing in these coastal cities is just a manifestation of these socialist policies. The socialist thuggery as I like to say that these Democrats come up with and people realize that you just can't live like that.

It doesn't work when you're incentivizing criminality. It doesn't work when you're punishing people as law-abiding citizens. It doesn't work when everything becomes an expense to the law-abiding taxpayer and everything becomes free to people that don't want to pay taxes. People that don't want to have borders and that don't want to have rules. And so, the people are fleeing. I think I read the other day that the top two states that people are running to are Texas and Tennessee. And we were itching to get to one or the other and here we are. I'm a Nashville resident and that just feels amazing to say."; and

WHEREAS, we Tennesseans have always known that socialism is a delusional chimera of the Left that doesn't work in a free society, that rules and borders are vital to our survival as a nation, and that law-abiding citizens are the very backbone of our society and without whom we cannot prosper; and

WHEREAS, Mrs. Owens will serve as another robust voice against socialism and criminality as a Tennessean; now, therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE ONE HUNDRED TWELFTH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE SENATE CONCURRING, that we congratulate Candace Owens on relocating to Tennessee and extend to her our best wishes for success with her new show.

BE IT FURTHER RESOLVED, that an appropriate copy of this resolution be prepared for presentation with this final clause omitted from such copy and upon proper request made to the appropriate clerk, the language appearing immediately following the State seal appear without House or Senate designation.

On motion, House Amendment No. 1 was adopted.

## THURSDAY, APRIL 8, 2021 – TWENTY-FIRST LEGISLATIVE DAY

Rep. Lamberth moved adoption of **House Joint Resolution No. 350**, as amended, which motion prevailed by the following vote:

Ayes ..... 68  
Noes ..... 21

Representatives voting aye were: Alexander, Baum, Boyd, Bricken, Calfee, Campbell S, Carr, Carringer, Casada, Cepicky, Cochran, Crawford, Darby, Doggett, Faison, Gant, Garrett, Gillespie, Griffey, Grills, Halford, Hall, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Johnson C, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Lynn, Mannis, Marsh, Moody, Moon, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Terry, Todd, Travis, Vaughan, Warner, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--68

Representatives voting no were: Beck, Camper, Chism, Clemmons, Cooper, Dixie, Hakeem, Harris, Hodges, Jernigan, Johnson G, Lamar, Love, McKenzie, Miller, Mitchell, Parkinson, Powell, Stewart, Thompson, Towns--21

A motion to reconsider was tabled.

### MESSAGE CALENDAR

#### HOUSE ACTION ON SENATE AMENDMENTS

**\*House Bill No. 1112** -- Local Government, General - As introduced, prohibits local governmental entities from mandating certain disclosures in contracts for improvements to real property. - Amends TCA Title 12, Chapter 4 and Title 50, Chapter 3. by \*Vaughan, \*Lamberth, \*Williams, \*Todd, \*Hazlewood. (SB1150 by \*Johnson, \*Rose, \*Bowling)

Rep. Vaughan moved that the House concur in Senate Amendment No. 1 to House Bill No. 1112.

#### Senate Amendment No. 1

AMEND House Bill No. 1112 by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Title 50, Chapter 3, Part 1, is amended by adding the following as a new section:

(a) A county, municipality, or other local government entity, or department, board, or agency thereof, including a school or board of education, shall not require a prime contractor or remote contractor, as part of an improvement of real property, or a bid, proposal, or agreement relating to an improvement of real property, to:

(1) Obtain, gather, or disclose personnel information or data of the prime or remote contractor's employees, except to the extent required under federal or state law;

(2) Provide personnel information or data of the prime contractor or remote contractor's employees to a person or entity, except to the extent required by federal or state law;

(3) Adhere to safety and health standards in excess of that required under federal occupational health and safety act (OSHA) and Tennessee occupational health and safety act (TOSHA) rules and regulations;

(4) Provide access to a worksite to anyone who would not otherwise have a legal right to access the worksite under federal or state law;

(5) Provide access to personnel information or data of anyone furnishing labor or materials on a worksite to a third party, including a non-employee designee, unless:

(A) Otherwise required by federal or state law; or

(B) The third party is a certified public accountant retained by the government entity to conduct an overall audit of the prime contract for the improvement;

(6) Require written contracts or agreements for the provision of labor or materials furnished in furtherance of the improvement, unless otherwise required by federal or state law;

(7) Be responsible for another party's compliance with a written agreement relating to the improvement, except as otherwise required by federal or state law; or

(8) Offer direct employment to a temporary laborer or an employee regardless of the temporary laborer's or temporary employee's length of service.

(b) Unless otherwise required by federal or state law, an ordinance, rule, or policy adopted by a government entity listed in subsection (a) that attempts to prevent or restrict a prime contractor or remote contractor from bidding on or accepting a contract for the improvement of real property based on the contractor's failure or refusal to perform an act described in subsection (a), or that attempts to provide a preference to a contractor that is willing to perform such act, is void as against the public policy of this state.

(c) A government entity listed in subsection (a) shall only restrict a prime contractor or remote contractor from bidding, proposing, or accepting a contract or furnishing labor or material for an improvement to real property based upon a final finding or order that the prime contractor or remote contractor committed a willful violation of federal or state law.

**THURSDAY, APRIL 8, 2021 – TWENTY-FIRST LEGISLATIVE DAY**

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it, and applies to contracts entered into, amended, or renewed on or after the effective date of this act.

Rep. Keisling moved the previous question, which motion prevailed.

Rep. Vaughan moved that the House concur in Senate Amendment No. 1 to **House Bill No. 1112**, which motion prevailed by the following vote:

Ayes .....	64
Noes.....	21

Representatives voting aye were: Alexander, Baum, Boyd, Bricken, Campbell S, Carr, Carringer, Casada, Cepicky, Cochran, Crawford, Darby, Doggett, Faison, Gant, Garrett, Gillespie, Griffey, Grills, Halford, Hall, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Johnson C, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Lynn, Mannis, Marsh, Moody, Moon, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Terry, Todd, Vaughan, Warner, Weaver, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--64

Representatives voting no were: Beck, Camper, Chism, Clemmons, Cooper, Dixie, Hakeem, Harris, Hodges, Jernigan, Johnson G, Lamar, Love, McKenzie, Miller, Mitchell, Parkinson, Powell, Stewart, Thompson, Windle--21

A motion to reconsider was tabled.

**UNFINISHED BUSINESS**

**RULES SUSPENDED**

Rep. Lamberth moved that the rules be suspended in order to allow **House Bill No. 73** to be heard in the Finance, Ways & Means Subcommittee next week, which motion prevailed.

**RULES SUSPENDED**

Rep. Lamberth moved that the rules be suspended in order to allow **House Bill No. 1131, 865, 580, 1210, 1266, 1020, 1501, 1174, 1294, 1591, 752, 753** and **917** to be heard in the Education Administration Committee next week, which motion prevailed.

**RULES SUSPENDED**

Rep. Lamberth moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 497 out of order, which motion prevailed.

**\*Senate Joint Resolution No. 497** -- General Assembly, Joint Conventions - Calls joint convention on April 12, 2021, to confirm appointment of Jill Bartee Ayers to Tennessee Court of Criminal Appeals, Middle Section, and to honor former U.S. Senator and former Tennessee Governor Lamar Alexander. by \*Yager.

## **THURSDAY, APRIL 8, 2021 – TWENTY-FIRST LEGISLATIVE DAY**

On motion of Rep. Lamberth, the resolution was concurred in.

A motion to reconsider was tabled.

### **NOTICE TO ACT ON SENATE MESSAGE**

Pursuant to **Rule No. 59**, notice was given that the following measure from the Senate would be considered on April 12, 2021:

**House Bill No. 1611:** by Rep. Bricken

**House Bill No. 72:** by Rep. Lamberth

**House Bill No. 267:** by Rep. Ragan

### **SPONSORS ADDED**

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Bill No. 173** Rep. Whitson as prime sponsor.

**House Bill No. 240** Rep. Carr as prime sponsor.

**House Bill No. 525** Rep. White as prime sponsor.

**House Bill No. 575** Rep. Leatherwood as prime sponsor.

**House Bill No. 674** Reps. Dixie, Curcio and Lamar as prime sponsors.

**House Bill No. 856** Rep. Marsh as prime sponsor.

**House Bill No. 1137** Rep. Haston as prime sponsor.

**House Bill No. 1171** Reps. Baum, Wright, Sherrell and Ramsey as prime sponsors.

**House Bill No. 1181** Reps. Helton and Doggett as prime sponsors.

**House Bill No. 1334** Rep. Sherrell as prime sponsor.

**House Bill No. 1416** Rep. Sherrell as prime sponsor.

### **SPONSORS WITHDRAWN**

On Motion, Rep. Lynn withdrew as sponsor of **House Bill No. 794**.

**THURSDAY, APRIL 8, 2021 – TWENTY-FIRST LEGISLATIVE DAY**

**MESSAGE FROM THE SENATE  
April 8, 2021**

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 76, 99, 175, 220, 234, 252, 486, 508, 587, 633, 701, 716, 763, 783, 866, 992, 1085, 1096, 1285, 1380, 1474, 1499 and 1602; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE  
April 8, 2021**

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 8, 76, 101, 270, 276, 316, 386, 473, 485, 540, 543, 547, 574, 577, 614, 974, 1049 and 1079; Senate Joint Resolutions Nos. 152, 153, 154, 156, 161, 166, 167, 168, 172, 173, 247, 331, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364 and 365; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE  
April 8, 2021**

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 20, 26, 124, 164, 274, 277, 334, 414, 592, 718, 719, 731, 1122 and 1133; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**SIGNED  
April 8, 2021**

The Speaker announced that he had signed the following: Senate Joint Resolutions Nos. 152, 153, 154, 156, 161, 166, 167, 168, 172, 173, 247, 331, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364 and 365.

TAMMY LETZLER, Chief Clerk

**MESSAGE FROM THE SENATE  
April 8, 2021**

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 126, 151, 258, 354, 702, 852, 873, 1120 and 1337; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**\*Senate Bill No. 126** -- Health Care - As introduced, increases from six to seven hours, the training required in medication administration from a registered nurse for those unlicensed persons employed by licensed agencies to assist children and youth with the self-administration of medication in a group home setting without being subject to nursing licensure and other nursing requirements. - Amends TCA Title 8; Title 53; Title 56; Title 63; Title 68 and Title 71. by \*Haile, \*Pody, \*Stevens. (HB1027 by \*Kumar)

## THURSDAY, APRIL 8, 2021 – TWENTY-FIRST LEGISLATIVE DAY

**\*Senate Bill No. 151** -- Insurance, Health, Accident - As introduced, requires the department of commerce and insurance to issue a report and provide an educational presentation by January 31 each year concerning the methodologies and approaches used by the department to ensure health plans are complying with the federal Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008. - Amends TCA Title 8; Title 56; Title 63; Title 68 and Title 71. by \*Briggs. (HB360 by \*Hawk, \*Whitson)

**\*Senate Bill No. 258** -- Law Enforcement - As introduced, authorizes law enforcement agencies to use a drone to provide or enhance security for a public event, to provide aerial coverage during a natural disaster, or to investigate the scene of a crime; extends the time within which law enforcement must determine whether evidence collected by a drone may be retained or deleted from three to 30 days. - Amends TCA Title 39. by \*Massey, \*Yager, \*Jackson, \*Reeves, \*Rose. (HB924 by \*Wright, \*Griffey, \*Russell)

**\*Senate Bill No. 354** -- Highways, Roads and Bridges - As introduced, authorizes the use of surveillance cameras owned by law enforcement agencies on federal interstate highways to aid in criminal investigations. - Amends TCA Title 55. by \*Gardenhire, \*Jackson, \*Massey, \*Reeves, \*Rose. (HB476 by \*White, \*Gillespie, \*Griffey, \*Thompson, \*Russell, \*Whitson, \*Beck)

**\*Senate Bill No. 702** -- Dentists and Dentistry - As introduced, changes from annually to semi-annually the frequency of the submission to the governor of reports of the board of dentistry's proceedings and activities. - Amends TCA Title 63, Chapter 5. by \*Powers. (HB1284 by \*Ramsey, \*Beck)

**\*Senate Bill No. 852** -- Taxes - As introduced, requires local governments that impose taxes upon the occupancy of short-term rental units to certify and report the tax rate to the department of revenue no later than October 1 each year, rather than on a date specified by the department. - Amends TCA Title 7, Chapter 4 and Title 67, Chapter 4. by \*Swann, \*Southerland, \*Niceley. (HB918 by \*Carr, \*Farmer, \*Faison, \*Howell)

**\*Senate Bill No. 873** -- Tort Liability and Reform - As introduced, specifies information that must be provided by a plaintiff in a sworn information form and included with any complaint filed in an asbestos action; requires dismissal without prejudice of plaintiff's asbestos claim as to any defendant whose product or premises is not identified in the required information form; requires that plaintiff's asbestos claim be dismissed without prejudice if plaintiff fails to provide the required information. - Amends TCA Title 29, Chapter 28 and Title 29, Chapter 34. by \*Stevens. (HB1199 by \*Garrett)

**\*Senate Bill No. 1120** -- Campaigns and Campaign Finance - As introduced, disqualifies an officer of a multicandidate political campaign committee from running for a state or local public office if the multicandidate political campaign committee has not paid a lawfully assessed civil penalty for a violation of the financial disclosure laws or the campaign contribution laws within 30 days. - Amends TCA Title 2, Chapter 10. by \*White. (HB1179 by \*Moody)

**\*Senate Bill No. 1337** -- Children's Services, Dept. of - As introduced, prohibits the department from requiring an individual to undergo an immunization as a condition of adopting a child or overseeing a child in foster care if the individual provides to the department written notice that the individual objects on religious grounds or that a physician certifies that the immunization is or may be harmful to the individual. - Amends TCA Title 4; Title 36; Title 37 and Title 71. by \*Hensley, \*Pody, \*Rose. (HB1547 by \*Weaver)

**THURSDAY, APRIL 8, 2021 – TWENTY-FIRST LEGISLATIVE DAY**

**MESSAGE FROM THE SENATE  
April 8, 2021**

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 47, 83, 976 and 1448; substituted for Senate Bills on same subject and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE  
April 8, 2021**

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos. 366, 367 and 368; concurred in by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE GOVERNOR  
April 8, 2021**

MR. SPEAKER: I am directed by the Governor to return herewith: House Joint Resolutions Nos. 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337 and 341; with his approval.

LANG WISEMAN, Deputy and Counsel to the Governor

**ENGROSSED BILLS  
April 8, 2021**

MR. SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Bills Nos. 339, 568, 570, 742, 766, 874, 961, 1064, 1196, 1603, 1604 and 1613; House Joint Resolutions Nos. 8, 350, 379 and 380;

GREG GLASS, Chief Engrossing Clerk

**REPORT OF CHIEF ENGROSSING CLERK  
April 8, 2021**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bills Nos. 76, 99, 175, 220, 234, 252, 486, 508, 587, 633, 701, 716, 763, 783, 866, 992, 1085, 1096, 1285, 1380, 1474, 1499 and 1602; House Joint Resolutions Nos. 147, 202, 338, 339, 342, 343, 344, 345, 346, 347, 349, 352, 353, 354, 355, 356, 357, 359, 360, 361, 362, 363, 364 and 365; for his action.

GREG GLASS, Chief Engrossing Clerk



**THURSDAY, APRIL 8, 2021 – TWENTY-FIRST LEGISLATIVE DAY**

**SIGNED  
April 8, 2021**

The Speaker announced that he had signed the following: House Bills Nos. 38, 84, 86, 87, 88, 92, 188, 206, 298, 364, 651, 765, 831, 890, 1091, 1097, 1098, 1168, 1343 and 1517.

GREG GLASS, Chief Engrossing Clerk

**ROLL CALL**

The roll call was taken with the following results:

Present..... 89

Representatives present were Alexander, Baum, Beck, Boyd, Bricken, Calfee, Campbell S, Camper, Carr, Carringer, Casada, Cepicky, Chism, Clemmons, Cochran, Cooper, Crawford, Darby, Dixie, Doggett, Faison, Gant, Garrett, Gillespie, Griffey, Grills, Hakeem, Halford, Hall, Harris, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Mannis, Marsh, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Stewart, Terry, Thompson, Todd, Towns, Travis, Vaughan, Warner, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton -- 89

**RECESS**

Pursuant to **Senate Joint Resolution No. 497**, Rep. Gant moved that the House stand in recess until 5:00 p.m., Monday, April 12, 2021.